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# LEGISLATIVE COUNCIL

Wednesday 23 March 2016

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**The President (The Hon. Donald Thomas Harwin)** took the chair at 10.00 a.m.

**The President** read the Prayers.

## INDEPENDENT COMMISSION AGAINST CORRUPTION

### Report

**The President** tabled, pursuant to the Independent Commission Against Corruption Act 1988, the report entitled "Investigation into the conduct of the Mine Subsidence Board District Manager", dated March 2016, received and authorised to be made public this day.

**Ordered to be printed on motion by the Hon. Duncan Gay.**

## NSW OMBUDSMAN

### Report

**The President** tabled, pursuant to the Public Interest Disclosures Act 1994 and the Ombudsman Act 1974, the report entitled "Oversight of the Public Interest Disclosures Act 1994—Annual Report 2014-15", dated March 2016, received and authorised to be made public this day.

**Ordered to be printed on motion by the Hon. Duncan Gay.**

## SMALL BUSINESS COMMISSIONER

### Report

**The President** tabled, pursuant to the Small Business Commissioner Act 2013, the report entitled "Small Business Commissioner Annual Report for the year ended 31 December 2015", received and authorised to be made public this day.

**Ordered to be printed on motion by the Hon. Duncan Gay.**

**Pursuant to sessional orders Formal Business Notices of Motions proceeded with.**

## BUSINESS OF THE HOUSE

### Formal Business Notices of Motions

**Private Members' Business item No. 650 outside the Order of Precedence objected to as being taken as formal business.**

## ANNUAL GREENHOUSE GAS EMISSIONS

**Ms JAN BARHAM** [10.05 a.m.]: I seek leave to amend Private Members' Business item No. 698 outside the Order of Precedence by omitting the words "significant improvements to" in paragraph (2), and inserting instead "updating of".

**Leave granted.**

**Motion by Ms JAN BARHAM agreed to:**

- (1) That this House notes that:
  - (a) in an interview on ABC Radio on Tuesday 14 March 2016, the Federal Minister for the Environment, the Hon. Greg Hunt, MP, said that: "I believe that we have reached what's sometimes known as peak emissions" and "the trend on our emissions is not just good, but deeply and powerfully important.";

- (b) the Australian Government's most recently published Quarterly Update of the National Greenhouse Gas Inventory for June 2015 indicates that annual greenhouse gas emissions in 2014-2015 including land use, land use change and forestry were estimated to be 549.3 Mt CO<sub>2</sub>-e, a 1.3 per cent increase on the previous year's emissions, and the first increase in annual emissions since 2005-06; and
- (c) an analysis published by RepuTex Carbon in January 2016 entitled "Downward trend reverses as Australia begins climb to new emissions high" reported that the emissions growth in 2014-15 was driven by growth in brown and black coal generation, increased land clearing activity and increased coal and gas production and stated that:
  - (i) "the government's long-term outlook confirms that Australia's emissions growth is projected to continue, increasing six per cent from 2015 levels through to 2020";
  - (ii) "analysis indicates that Australia's projected emissions growth through to 2020 is among the highest of large developed economies currently reporting under the United National Framework Convention on Climate Change"; and
  - (iii) "Government climate policy notwithstanding, analysis indicates that Australian emissions will grow close to their 2005-06 peak by 2019, before reaching a new high in the latter half of the next decade. Notably, we project that this pathway will continue to grow, with no peak in emissions expected prior to 2030 under current policy."
- (2) That this House acknowledges that achieving the aim of the Paris Agreement on climate change to attempt to limit global warming to 1.5 degrees above pre-industrial levels will require significant reductions in greenhouse gas emissions by developed countries including Australia and will require updating of legislation and policy across all levels of government and additional action to reduce emissions across all sectors of society and the economy.

## **BUSINESS OF THE HOUSE**

### **Formal Business Notices of Motions**

**Private Members' Business item No. 701 outside the Order of Precedence objected to as being taken as formal business.**

## **HELLENIC STUDIES AWARDS**

### **Motion by the Hon. COURTNEY HOUSSOS agreed to:**

- (1) That this House notes that:
  - (a) on 2 February 2016 the Australian Hellenic Educators' Association of New South Wales, the Australian Capital Territory, and Queensland, hosted the 2016 Hellenic Studies Awards at Parliament House, Sydney; and
  - (b) the 2016 Hellenic Studies Awards recognised the achievements of more than 120 students of Greek language and culture from around New South Wales.
- (2) That this House acknowledges the following special guests who attended the 2016 Hellenic Studies Awards:
  - (a) Dr Stavros Kyrimis, the Greek Consul General of Sydney;
  - (b) the Hon. Sophie Cotsis, MLC;
  - (c) the Hon. Courtney Houssos, MLC;
  - (d) John Azarias, the founder and President of the Lysicrates Foundation;
  - (e) John Kallimanis, Grand President of the Order of the Australasian Hellenic Educational Progressive Association of New South Wales;
  - (f) Dr Panayiotis Diamadis from the Australian Hellenic Educators' Association of New South Wales, the Australian Capital Territory and Queensland;
  - (g) Dr Ian Plant, Dr Elisavet Kefallinou, Ioannis Kalatzidis, Patricia Koromvokis, and Theophilos Premetis, from Macquarie University;
  - (h) Dr Antony Dracopoulos from the University of Sydney;
  - (i) Nina Conomos from the NSW Curriculum and Learning Innovation Centre;
  - (j) Sandra Angel from Earlwood Public School;
  - (k) Robert Jennings, Chrysatlla Koureas, and Maria Karantonis, from Sans Souci Public School;

- (l) Angelica Lapi, Angela Spanos, and Nina Stamatopoulos, from Clemton Park Public School;
  - (m) Beverley Dastoli from Kingsgrove Public School;
  - (n) Therese Corben from Connells Point Public School;
  - (o) Maurice Johnston and Maria Alexandrou from Kensington Public School;
  - (p) Dr Emily Matters from Pymble Ladies' College;
  - (q) Panayiotis Varvaressos and Thodoris Panagiotou from All Saints Grammar, Belmore;
  - (r) Katherine Paloumis from Dulwich Hill Public School;
  - (s) Maria Stamatellis from Maroubra Junction Public School;
  - (t) Andrea Makis from Gardeners Road Public School;
  - (u) Georgios Karageorgis from the Hellenic Orthodox Community School of Bexley North, Kingsgrove and Beverley Hills;
  - (v) Angela Vasileiou-Spanoska from the Afternoon Schools of St Nektarios Parish, Burwood; and
  - (w) Adamantia Tzeretzoulia from St Euphemia College, Bankstown.
- (3) That this House congratulates each award recipient at the 2016 Hellenic Studies Awards, and acknowledges their hard work and dedication in learning Greek language and history.
- (4) That this House notes the important work of the Australian Hellenic Educators' Association of New South Wales, the Australian Capital Territory and Queensland, and offers its thanks to the association for its tireless efforts educating young people around our State about Greece and its culture.

### **ZAKYNTHIAN CULTURAL AND HERITAGE EXHIBITION**

#### **Motion by the Hon. COURTNEY HOUSSOS agreed to:**

- (1) That this House notes that:
- (a) on 7 February 2016, the Zakynthian Association of Sydney and New South Wales along with the National Council of Jewish Women of Australia [NSW Division] jointly hosted a Zakynthian Cultural and Heritage Exhibition at the Fanny Reading Council House in Woollahra, Sydney;
  - (b) as part of the exhibition, there was a screening of *The Song of Life* documentary, which details the history of German occupation of Greece during the Second World War and recalls the courageous story of survival of the Jewish people on the Island of Zakynthos who were protected by Christian families in the face of unimaginable brutality;
  - (c) Mr Vic Alhadeff, Chief Executive Officer of the NSW Jewish Board of Deputies, was the guest speaker at the event; and
  - (d) the Hon. Sophie Cotsis, MLC and the Hon. Courtney Houssos, MLC attended the event.
- (2) That this House:
- (a) congratulates the Zakynthian Association of Sydney and New South Wales and the National Council of Jewish Women of Australia [NSW Division] for organising the meaningful Zakynthian Cultural and Heritage Exhibition; and
  - (b) recognises both organisations for the important and valuable work that they do.

### **BUSINESS OF THE HOUSE**

#### **Formal Business Notices of Motions**

**Private Members' Business item No. 716 outside the Order of Precedence objected to as being taken as formal business.**

### **UNITED STATES CONGRESS RESOLUTION REGARDING MIDDLE EAST GENOCIDE**

#### **Motion by Reverend the Hon. FRED NILE agreed to:**

- (1) That this House notes that on 14 March 2016 the United States Congress declared that the atrocities perpetrated against religious and ethnic minorities in Iraq and Syria are war crimes, crimes against humanity and genocide.

- (2) That this House notes that:
- (a) the atrocities perpetrated by the Islamic State of Iraq and the Levant [ISIL] against Christians, Yazidis, and other religious and ethnic minorities in Iraq and Syria constitute war crimes, crimes against humanity, and genocide;
  - (b) all governments, including the United States Government, and international organisations, including the United Nations [UN], should call ISIL atrocities war crimes, crimes against humanity, and genocide;
  - (c) UN member states should coordinate on measures to prevent further war crimes, crimes against humanity, and genocide in Iraq and Syria and to punish those responsible for these ongoing crimes, including by the collection of evidence and, if necessary, the establishment of appropriate tribunals;
  - (d) the Hashemite Kingdom of Jordan, the Lebanese Republic, the Republic of Turkey, and the Kurdistan Regional Government in Iraq, are to be commended for, and supported in, their efforts to shelter those fleeing violence from ISIL and other combatants until they can safely return to their homes in Iraq and Syria; and
  - (e) the protracted Syrian civil war and the indiscriminate violence of the Assad regime have contributed to ISIL's growth.
- (3) That this House supports the resolution passed by the United States Congress on 14 March 2016, which passed by a unanimous vote of 383 to 0.

### **AUSTRALIAN-EGYPTIAN COUNCIL FORUM ANNUAL GALA DINNER**

#### **Motion by the Hon. DAVID CLARKE agreed to:**

- (1) That this House notes that:
- (a) on Saturday 27 February 2016 the Australian-Egyptian Council Forum held its annual Awards Gala Dinner at the Villa Blanca Reception Centre Bankstown to:
    - (i) honour Egyptian-Australian high achieving students who obtained a score of 90 per cent or more in the 2015 Higher School Certificate;
    - (ii) announce the Egyptian-Australian of the Year; and
    - (iii) announce the Australian Friend of the Egyptian Community of the Year for support given by that person to the Egyptian-Australian community of New South Wales;
  - (b) those who were honoured for having achieved a 2015 Higher School Certificate score of 90 per cent or more were:
    - (i) Mina Ekdare;
    - (ii) George Edkare;
    - (iii) Mariam Razkala;
    - (iv) Catherine Gerges;
    - (v) Louise Makarious;
    - (vi) George Wassif;
    - (vii) Mirette Saleh;
    - (viii) Marina Isaac;
    - (ix) Marc Said;
    - (x) Mira Boshra;
    - (xi) Philopateer Iskander;
    - (xii) Mark Bishay;
    - (xiii) James Tawadrous;
    - (xiv) Christian Sammy;
    - (xv) Mark Dawoud;
    - (xvi) Emmanuel Kozman;

- (xvii) David Bishay;
  - (xviii) Amanda Beshai;
  - (xix) Elisabeth Michail;
  - (xx) Marian Butrous;
  - (xxi) Anthony Mansour;
  - (xxii) Anthony Tawfils;
  - (xxiii) Lysandra Anis; and
  - (xxiv) Mary Dawoud.
- (c) those who were honoured as Law Graduate High Achievers were:
- (i) Ms Ann-Marie Salem; and
  - (ii) Mr Timon Ibrahim.
- (d) the award for the Australian Friend of the Egyptian Community was presented to Mr Tony Stewart, former member for Bankstown and first convenor of the New South Wales Parliamentary Friends of Egypt, 2004 to 2011;
- (e) the award for the Egyptian-Australian of the Year was presented jointly to:
- (i) Dr Safwat Riad for his medical and community achievements; and
  - (ii) Mrs Hoda El-Banna for her voluntary community and charity work in support of the Children's Cancer Hospital in both Sydney and Cairo.
- (f) those who attended as guests included:
- (i) the Consul General of Egypt in Sydney, His Excellency, Ambassador Youssef Shawki, and Mrs Shawki;
  - (ii) the Consul of Egypt in Sydney, Mr Mohammad Taher and Mrs Taher;
  - (iii) the Vice Consul of Egypt in Sydney, Ms Enas El Ganzoury;
  - (iv) New South Wales Police Deputy Commissioner, Mr Nick Kaldas and Mrs Kaldas;
  - (v) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, and Mrs Marisa Clarke;
  - (vi) Mr Mark Coure, MP, member for Oatley;
  - (vii) Mr Craig Kelly, MP, Federal member for Hughes;
  - (viii) Councillor Morris Hanna, Marrickville Council;
  - (ix) Mr Tony Stewart, former member for Bankstown;
  - (x) Mr Michael Ebeid, Chief Executive Officer and Managing Director of SBS;
  - (xi) Mr Jack Passaris, OAM, Vice-Chairman of the New South Wales Ethnic Communities Council, and Mrs Passaris;
  - (xii) the Principal of St Mark's Coptic College;
  - (xiii) the Principal of St Mary's Coptic College;
  - (xiv) the Principal of St Michael's Coptic College; and
  - (xv) representatives of Egyptian community organisations.
- (2) That this House:
- (a) congratulates students honoured at the awards evening for their outstanding Higher School Certificate results as well as other award recipients for their achievements and service to the New South Wales community; and

- (b) acknowledges and commends the senior office bearers of the Australian-Egyptian Council Forum for their initiative and work in organising the awards evening, in particular:
- (i) Dr Wafik Latif;
  - (ii) Mr Victor Bassily;
  - (iii) Mr Michael Tadros;
  - (iv) Mr Emad Mohareb;
  - (v) Mr Mohammad El-Mowelhi; and
  - (vi) Mr Amir Salem.

## **BUSINESS OF THE HOUSE**

### **Formal Business Notices of Motions**

**Private Members' Business item No. 724 outside the Order of Precedence objected to as being taken as formal business.**

### **PARLIAMENTARY FRIENDS OF RECONCILIATION**

#### **Motion by the Hon. TREVOR KHAN agreed to:**

That this House notes that:

- (a) the launch of the Parliamentary Friends of Reconciliation friendship group was held on Wednesday 16 March 2016;
- (b) approximately 60 people attended the launch, including members of the Aboriginal community and members of Parliament;
- (c) amongst those to attend were the His Excellency the Governor; the Premier; the Deputy Premier; the Minister for Aboriginal Affairs; the Minister for Ageing and Disability Services; the Minister for Trade, Tourism and Major Events; the Minister for Emergency Services; and the Minister for Innovation and Better Regulation;
- (d) the welcome to country was given by Uncle Chicka Madden;
- (e) special guest speakers were Mr Anthony McAvoy, SC, Ms Teela Reid, and Dale Connor; and
- (f) the purpose of the friendship group is to provide a space for Aboriginal and Torres Strait Islander people and parliamentarians to connect directly around issues and opportunities for Aboriginal and Torres Strait Islander policy in New South Wales, providing an important opportunity for positive dialogue and a respectful platform for working together towards reconciliation.

### **PARIS AGREEMENT ON CLIMATE CHANGE**

#### **Motion by Ms JAN BARHAM agreed to:**

- (1) That this House notes that the preamble to the Paris Agreement adopted by the parties to the United Nations Framework Convention on Climate Change on 12 December 2015 notes that the parties:
  - (a) recognise "the need for an effective and progressive response to the urgent threat of climate change on the basis of the best available scientific knowledge";
  - (b) emphasise "the intrinsic relationship that climate change actions, responses and impacts have with equitable access to sustainable development and eradication of poverty";
  - (c) recognise "the fundamental priority of safeguarding food security and ending hunger, and the particular vulnerabilities of food production systems to the adverse impacts of climate change";
  - (d) acknowledge "that climate change is a common concern of humankind";
  - (e) recognise "the importance of the conservation and enhancement, as appropriate, of sinks and reservoirs of the greenhouse gases referred to in the Convention";
  - (f) note "the importance of ensuring the integrity of all ecosystems, including oceans, and the protection of biodiversity, recognized by some cultures as Mother Earth, and ... the importance for some of the concept of "climate justice";

- (g) recognise "the importance of the engagement of all levels of government and various actors, in accordance with respective national legislations of Parties, in addressing climate change"; and
  - (h) recognise "that sustainable lifestyles and sustainable patterns of consumption and production, with developed country Parties taking the lead, play an important role in addressing climate change".
- (2) That this House:
- (a) commends the representatives of more than 190 nations and the many representatives of sub-national governments, parliaments and local governments, private sector businesses representative bodies and community organisations who contributed to achieving the adoption of the Paris Agreement; and
  - (b) encourages all people across New South Wales to read the Paris Agreement in full and support its ratification and the necessary action by all governments, economic sectors and communities to achieve its aims.

## **BUSINESS OF THE HOUSE**

### **Formal Business Notices of Motions**

**Private Members' Business item No. 727 outside the Order of Precedence objected to as being taken as formal business.**

### **LOW CARBON ENTREPRENEUR PRIZE**

#### **Motion by Ms JAN BARHAM agreed to:**

- (1) That this House notes that:
- (a) the South Australian Government has launched the Low Carbon Entrepreneur Prize, which will provide \$250,000 to the winning entrant to fund an entrepreneurial solution that helps to reduce Adelaide's greenhouse gas emissions in the areas of energy, transport, waste and liveability;
  - (b) the prize is the first phase in the Adelaide to Zero Carbon Challenge, a South Australian Government program in partnership with Adelaide City Council, the proposed Climate Knowledge Innovation Community Australia initiative, and convening partners SA Power Networks, Bike SA, the UniSA Centre for Business Growth and the Green Building Council of Australia;
  - (c) the Adelaide to Zero Carbon Challenge aims to reduce greenhouse gas emissions and make Adelaide the first carbon neutral city in the world, while stimulating opportunities for pioneering green businesses; and
  - (d) these new initiatives complement South Australia's participation in the Compact of States and Regions, a global initiative managed by the Climate Group in which member states, territories and provinces make a public commitment to reduce greenhouse gas emissions with a specified long-term target and provide annual reporting of their greenhouse emissions inventory.
- (2) That this House acknowledges that action by sub-national governments, in partnership with cities and the private sector, are crucial to achieving reductions in greenhouse gas emissions and driving the transition to clean and sustainable energy, technologies and industries to address climate change and ensure a successful and green future.

## **BUSINESS OF THE HOUSE**

### **Formal Business Notices of Motions**

**Private Members' Business item No. 729 outside the Order of Precedence objected to as being taken as formal business.**

### **ADVOCATE FOR OLDER PEOPLE**

#### **Motion by Ms JAN BARHAM agreed to:**

- (1) That this House notes that:
- (a) ageing is the most noteworthy population change that will occur in Australia over the next 50 years;
  - (b) by 2050, 26 per cent of the population of New South Wales and most other States is projected to be 65 years and over;
  - (c) 41 per cent of people aged 65 to 69 and 92 per cent of people over 90 have a disability;
  - (d) older people often find themselves providing care for another person;

- (e) 12 per cent of the total population of older people aged 65 to 74 years came to Australia from culturally and linguistically diverse backgrounds; and
  - (f) older people can and do play a valuable role in society, including as volunteers and in providing unpaid care for grandchildren and older relatives.
- (2) That this House acknowledges that older people deserve a dedicated advocate to whom they can turn for help with legal, housing, community welfare, consumer affairs and a plethora of other issues that may arise as they age.
- (3) That this House recommends that the Government consider appointing an Advocate or Commissioner for Older People to ensure that older persons' interests and rights are taken into account, including:
- (a) the right to liveable, affordable homes in the community;
  - (b) the continuing right to work, free from employment discrimination, if they wish to do so;
  - (c) the right to equitable access to services, facilities and programs;
  - (d) the continuing delivery of in-home care in partnership with service providers and key non-government organisations; and
  - (e) respect for the diversity of their experiences and cultural background.

### **GENERAL PURPOSE STANDING COMMITTEE NO. 5**

#### **Reference: Inquiry into the Augmentation of Water Supply for Rural and Regional New South Wales**

**The Hon. ROBERT BROWN:** I inform the House that in accordance with paragraph 2 of the resolution of the House relating to the establishment of committees, the General Purpose Standing Committee No. 5 resolved on 22 March 2016 to adopt the following reference:

- (1) That General Purpose Standing Committee No. 5 inquire into and report on the performance or effectiveness of the NSW government agencies that are responsible for the augmentation of water supply for rural and regional New South Wales, and in particular:
- (a) investigate the requirement for a water equation (demand and supply out to the middle of this century) for rural and regional New South Wales;
  - (b) examine the suitability of existing New South Wales water storages and any future schemes for augmentation of water supply for New South Wales, including the potential for aquifer recharge;
  - (c) review the NSW Government's response to the recommendations of the June 2013 report by the Standing Committee on State Development on the adequacy of water storages in New South Wales;
  - (d) examine the 50 year flood history in New South Wales, particularly in northern coastal New South Wales, including the financial and human cost;
  - (e) examine technologies available to mitigate flood damage, including diversion systems, and the scope of infrastructure needed to support water augmentation, by diversion, for rural and regional New South Wales;
  - (f) examine social, economic and environmental aspects of water management practices in New South Wales and international jurisdictions, including the following case studies:
    - (i) Broken Hill town water supply/Menindee Lakes system;
    - (ii) South Western NSW water management practices; and
    - (iii) North Western NSW water management practices.
  - (g) the efficiency and sustainability of environmental water being managed by different State and Federal Government departments and agencies;
  - (h) the management, appropriateness, efficiency and reporting of:
    - (i) inter-valley transfers;
    - (ii) conveyance and water loss;
    - (iii) carryover; and
    - (iv) the management and reporting of the water market.
  - (i) any other related matter.
- (2) That the committee report by 27 October 2017.

## BUSINESS OF THE HOUSE

### Suspension of Standing and Sessional Orders: Order of Business

#### Motion by the Hon. Ben Franklin agreed to:

That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to the conduct of business of the House this day.

#### Order of Business

#### Motion by the Hon. Ben Franklin agreed to:

That the order of Private Members' Business for today be as follows:

- (1) Private Members' Business item No. 2 in the Order of Precedence standing in the name of Ms Barham relating to the Climate Change Bill.
- (2) Private Members' Business item No. 477 outside the Order of Precedence standing in the name of Mr Pearson relating to sheep mulesing.
- (3) Private Members' Business item No. 7 in the Order of Precedence standing in the name of Mr Primrose relating to the contribution of the sub-continental community.
- (4) Private Members' Business item No. 634 outside the Order of Precedence standing in the name of Mr Searle relating to an order for papers concerning learning management and business reform monthly reports.

## BIOFUELS AMENDMENT BILL 2016

### Personal Explanation

**The Hon. GREG PEARCE**, by leave: The *Daily Telegraph* is reporting that I abstained in relation to divisions yesterday on the biofuels legislation. My understanding was that I was to be paired. To the extent that there were concerns I worked to ensure they were dealt with through established party processes.

## CLIMATE CHANGE BILL 2015

### Second Reading

#### Debate resumed from 19 November 2015.

**Mr JEREMY BUCKINGHAM** [10.22 a.m.]: I continue my contribution to the Climate Change Bill 2015 and commend Ms Jan Barham and her staff for their work in bringing this important bill before the House. The incontrovertible evidence is clear that climate change will lead to more extreme and unpredictable weather patterns with serious consequences for our agricultural production. Australia is the driest inhabited continent on earth and our rainfall is four times more variable than Russia's, three times more variable than America's and double that of New Zealand and India. A recent in-depth study of the impacts of climate on agriculture in Australia titled, "Feeding a Hungry Nation: Climate change, food and farming in Australia", found that climate change is driving an increase in the intensity and frequency of hot days and heat waves in Australia; changing rainfall patterns; increasing the severity of droughts; and driving up the likelihood of extreme fire danger weather.

Average rainfall in southern Australia during the cool season is predicted to decline further and the time spent in extreme drought conditions is projected to increase. Water scarcity, heat stress and increased climatic variability in our most productive agricultural regions such as the Murray-Darling Basin are key risks for our food security, economy and dependent industries and communities. Climatic changes could result in the imports of key agricultural commodities such as wheat increasingly outweighing exports. And yet, in the Hon. Barnaby Joyce's agricultural competitiveness white paper and the Minister for Primary Industries, and Minister for Lands and Water's recent Agriculture Industry Action Plan, there was not one mention of climate change. The key strategic planning documents by coalition governments—Federal and State—regarding agriculture did not mention climate change. That is an absolute outrage and an indictment on their attitude to this important risk to agriculture. It is an irresponsible and reckless attitude, driven by right-wing ideology rather than science.

The National Party's dumb opposition to serious climate change action is harming regional Australia and farmers in particular. To the detriment of regional economies, dry conditions are causing billions of dollars in farm productivity to be lost. Climate change will only make this worse in the years ahead. The National Party cannot claim to be a party that has the interests of farmers and regional Australia at heart while ignoring the very real harm that climate change is causing to regional economies and the future of sustainable agriculture. It is time for the National Party to put aside its political tactics and ideology and to support strong action on climate change. The National Party should be helping to build resilience in regional communities that are affected by climate change. Perhaps the National Party's denial of climate science was once quaint but it is clear that its dinosaur policies are harmful to the interests of regional Australia.

The decreases in agricultural production between 2002 and 2003 due to drought resulted in a 1 per cent reduction in gross domestic product [GDP] and a 28.5 per cent fall in gross value added to the agricultural industry compared to the preceding year. These are serious numbers and we cannot put our head in the sand and pretend that climate change does not exist. The examples are numerous. We have only to look at what is happening in the Murray-Darling Basin. The Murray and Darling rivers are in crisis—a red alert for 500 kilometres. Record temperatures in January and February in the south west of the State have caused an algal bloom of unprecedented proportions. A bacterial outbreak in the Murray River—the most important river in our State—is sending communities, farmers and our ecology to the wall. It is caused by heat and we are in the hands of the gods in dealing with it.

The only thing that can save the Murray River is cooler water. The Murray-Darling Basin Authority [MDBA] and the Minister have said that releases of water will not do anything to help. Water releases will only drive the algal bloom further into South Australia. There are no simple solutions—no levers to pull—to fix that because the climate rules supreme. It dictates everything. Nothing is more important to our economy and to our farmers than climatic conditions. Farmers are at the front line of change and are crying out for a government that is serious about action, both in mitigation and adaptation.

The NSW Farmers Association recently updated its policy to acknowledge that primary producers are on the front line of seasonal variability exacerbated by a changing climate. The association will support its members in playing an active role in climate change policy and supports the Government transitioning from fossil fuels such as coal and gas towards renewable energy sources. I congratulate the president, Derek Schoen, and especially Josh Gilbert, the former chair of New South Wales Young Farmers, who took a principled stand and resigned from that position because of his concerns over the direction of native vegetation policy in this State and what it would mean for climate change—a young, intelligent farmer ringing the bell.

**The Hon. Niall Blair:** He lives in Sydney, doesn't he?

**Mr JEREMY BUCKINGHAM:** I acknowledge the Minister's interjection. I acknowledge that slight on an intelligent man who has the sense to put climate change at the front of consideration. Anyone who does not do so is a reckless idiot.

**The DEPUTY-PRESIDENT (The Hon. Trevor Khan):** Order! I encourage Mr Jeremy Buckingham as I did last night—I will deal with the Minister in due course, so the member need not get wounded—to direct his remarks through the Chair. It will help the member to concentrate on his speech. I remind members that interjections are disorderly at all times. Even though the Minister and I have a close friendship I will call him to order if he continues to interject.

**Mr JEREMY BUCKINGHAM:** Anyone who denies the science of climate change is a reckless idiot. They are putting life on this planet and the agricultural productivity that sustains our economy at risk and they will be condemned by future generations. Food prices during the 2005-2007 drought increased at twice the rate of the consumer price index. Fresh fruit and vegetables were the worst hit, increasing 43 per cent and 33 per cent respectively. Reductions in livestock numbers during droughts can directly affect meat prices for many years. Rainfall deficiencies in parts of Western Australia and central Queensland are projected to reduce total national crop production by 12 per cent in 2014-15, and the value of beef and veal exports by 4 per cent. Cyclone Larry destroyed 90 per cent of the North Queensland banana crop in 2006, affecting supply for nine months and increasing prices by 500 per cent. Anyone who looks at the scale of Cyclone Winston that hit Fiji should quake in their boots. It was the largest storm ever recorded in the Southern Hemisphere and the second-largest storm ever to make landfall. God forbid one of those cyclones ever hits the coast of Queensland. The day it does—

**Ms Jan Barham:** They will.

**Mr JEREMY BUCKINGHAM:** They will. It is inevitable; it is incontrovertible. As night follows day, those cyclones are coming. If there is one that is thousands of times bigger, with winds strong enough to lift the ocean and move it onto the land, people will die and our farmers will suffer. People who deny the science are reckless. This is the opportunity for The Nationals—the Government—to get off the bus. Drip, drip, drip, drip—there is a slow thaw in the Government regarding climate change. I have noticed that the formal business motions about climate change moved by my colleague Ms Jan Barham are starting to be accepted by the Parliament. That is great, because it means that some in the Government realise their position of denying the science of climate change is reckless and will be condemned in the future.

I completely support the farmers of New South Wales who want action on climate change. I completely support this bill. Up to 70 per cent of Australia's winegrowing regions with a Mediterranean climate, including iconic areas like the Barossa Valley and Margaret River, will be less suitable for grape growing by 2050. Many foods produced by plants growing in an environment with elevated carbon dioxide levels have reduced protein and mineral concentrations, which lessens their nutritional value. Harsher climatic conditions will increase the use of more heat-tolerant breeds in beef production, some of which have lower meat quality and reproductive rates. Heat stress reduces milk yield by 10 per cent to 25 per cent, and up to 40 per cent in extreme heatwave conditions. The yields of many important crop species such as wheat, rice, maize and sorghum are reduced at temperatures greater than 30 degrees Celsius.

Again and again, we see climate denial from the Government. It has been quieter in recent times in light of the record global temperatures we have experienced in the past two months. Carbon dioxide has reached levels we have not seen for millions of years. There have been record temperatures. The Larsen B ice shelf is falling apart. Greenland is melting at a catastrophic rate. All this has incredibly inverse impacts on our farmers and our agriculture. Members are in this place because we do not have to pick berries off trees and nuts off the forest floor because the farmers of Australia feed us. But we are making their job harder by denying the science of climate change, with retrograde, crazy policies like direct action and by getting in the way of renewable energy. That is a massive mistake, and Ms Jan Barham's bill goes a long way to redressing it.

I hope Labor members can find it in themselves to support The Greens' bill. People in Australia look to progressives like Anthony Albanese, Tanya Plibersek and the Hon. Penny Sharpe to take the lead. The Greens are here because the Labor Party has been conflicted and hypocritical. It has supported new coalmines such as Mount Thorley Warkworth—yielding millions of tonnes of coal and destroying our carbon budget—and Shenhua, unleashing coal seam gas, and yet it says, "We believe in climate change." Labor cannot have it both ways. The Federal Labor Party is a massive backer of coal seam gas in Queensland and in New South Wales. Labor cannot support serious action on climate change and at the same time support new coal and the unleashing of new fossil fuels. This bill is a measured, reasonable response to the issue and calls on the Government to develop a plan. I commend the bill to the House, and I commend my colleague Ms Jan Barham for introducing it.

**The Hon. PENNY SHARPE** [10.36 a.m.]: I lead for the Labor Party in debate on the Climate Change Bill 2015. The objects of this bill are:

- (a) to set targets to reduce greenhouse gas emissions,
- (b) to facilitate the Government's development of strategies, policies and programs to meet those targets and to adapt to the effects of climate change,
- (c) to promote transparency and accountability by facilitating the provision of accessible information about the effects of climate change on people, communities and ecosystems across the State,
- (d) to encourage the local government sector, the private business sector and the wider community to take action to address climate change.

Labor supports taking strong action to tackle climate change. Federal Labor has committed to net zero greenhouse gas emissions by 2050 and is currently undertaking national consultations on the way that can be achieved. Unlike those opposite, Labor accepts—and has accepted for a long time—the science behind climate change. Labor does not hide behind denialists and dodgy pseudoscience but commits to real action. From 1995 to 2011, New South Wales had a comprehensive and determined focus through the architecture of government policy and legislation to tackle climate change.

This Government, fuelled by the ideology of climate change denial that puts dogma before the needs of our community now and into the future, has systematically ripped apart that infrastructure, dumping targets for emissions reduction, shutting down the Office of Climate Change and failing to contribute to the Federal Government's consultation on post-2020 emissions targets. I note the contribution of the Hon. Shayne Mallard, leading for the Government in debate on this bill. He was given a hospital pass that day—he is not in the Chamber now—to try to defend such a terrible record when it comes to climate change mitigation and adaptation in this State. He was misleading the House when he stated:

I want to make it clear to this House that the New South Wales Government accepts the science of climate change.

That is clearly not the position of 70 per cent of Liberal Party delegates in New South Wales, who at their most recent conference passed a motion for the Turnbull Government to hold public forums to contest the science of climate change. Here is a free tip for the Hon. Shayne Mallard: When the Ministers and parliamentary secretaries will not speak on a bill and they ask you to represent the Government, perhaps say no—but I digress. The aim of the bill is to provide a legislative framework for action on climate change mitigation and adaptation for New South Wales. It is based on similar models already operating around Australia. Labor supports many of the elements in this bill. It does not, however, support the emissions reduction targets as set out by Ms Jan Barham in the bill.

The bill sets targets to reduce greenhouse gases including imposing a duty on the Premier to ensure that the State reaches net zero emissions by 2040, with interim targets of 25 per cent lower than 2000 by 2020, 40 per cent to 50 per cent by 2025 and 60 per cent to 80 per cent by 2030. Labor cannot and will not support emissions targets for New South Wales that are not based on anything more than the policy of the Australian Greens. Labor cannot and will not support emissions targets that have been through no consultation, modelling or discussion with the people of the New South Wales. Labor cannot and will not support emissions targets that have not even been recommended by the Climate Change Authority.

However, we support many aspects of the bill that require the Minister to develop a climate change plan and climate change adaptation plan every four years. The bill requires all public authorities, including government departments and local councils, to prepare a climate change action plan every four years, which will detail what they will do to contribute to these efforts. Each public authority must ensure that it does not decrease the State's ability to meet the targets and to adapt to climate change. The bill establishes the New South Wales Climate Change Commission, which is an independent statutory body of five to nine members with expertise in climate change and its effects, which will advise the Minister as well as provide information to consult with the public.

Labor believes in taking action to tackle climate change because it accepts the science that limiting global warming to less than two degrees Celsius to three degrees Celsius is necessary to avert dangerous climate change. Labor accepts the consensus of more than 2,000 scientists from more than 115 countries, who have found that the human influence on climate is clear, and recent emissions of greenhouse gases are the highest in history. Labor also accepts that science shows us climate change will affect the natural, social and economic welfare of New South Wales. According to the "NSW Climate Impact Profile", which was published in 2010 by the then Department of Environment, Climate Change and Water before the Office of Climate Change was shut, New South Wales is expected to become hotter and we are expected to experience higher maximum and minimum temperatures across the State in all seasons.

Higher temperatures are likely to result in significantly increased evaporation across much of the State by 2050, leading to drier soil conditions in the west. Sea levels along the New South Wales coast are rising and this rate of rise is certain to accelerate. In lower areas of coastal flood plains, sea level rise is likely to exacerbate catchment-driven flooding, resulting in freak flood frequency, height and extent. Higher temperatures and changes in rainfall patterns are likely to lead to increased fire frequency, and very high to extreme fire dangers are projected to increase. Sheet, rill and gully erosion is likely to increase, as is the mass movement of soil and slopes. Wind erosion is likely to increase. Soil salinity changes will affect food production. Coastal dunes are likely to be at risk. Sea level rise and extreme storms are certain to adversely affect vulnerable developments along the coast. Coastal structures are likely to be affected. Flooding of low-lying coastal developments is likely to increase. The structure, composition and function of ecosystems are likely to change. The distribution of individual species is likely to change. That is only the start.

The cost of this destruction will not only be environmental. A rise in sea level of 1.1 metres could cause devastation to \$226 billion worth of commercial, industrial, road, rail and residential assets. From 2020

onwards, it is estimated that droughts will cost Australia \$7.3 billion each year. The human cost is more frightening. The Intergovernmental Panel on Climate Change [IPCC] found that climate change resulting in extreme weather will cause increases in heat-related mortality and morbidity. The IPCC also predicts increases in water- and food-borne diseases; changes in seasonality and distribution of vector-borne diseases, such as those spread by mosquitos; increased air pollution; and adverse impacts on community and mental health.

Labor recognises that we have reached a tipping point: The cost of doing nothing far outweighs the cost of taking strong, sensible and evidence-based action. The time for action is now. Change must be achieved by all countries and, indeed, sub-national jurisdictions, which should decarbonise their economies and make a fair contribution to the international effort. Labor believes there must be a fair transition in this process for those who will be impacted by these changes. New South Wales cannot bury its head in the sand when it looks at its contribution to global warming. New South Wales is the largest greenhouse gas emitter in Australia. We account for more than one-quarter of Australia's national emissions. In New South Wales, annual emissions per capita are approximately 19.6 tonnes of carbon dioxide a year. To put that into perspective, in the United Kingdom, Germany and Japan annual emissions per capita are approximately nine to 11 tonnes, and the average for industrialised nations is approximately 12 tonnes per person.

We have high per capita emissions because of our use of cheap fossil fuels, high dependence on coal-fired power generation, and the emissions intensity of our exports such as aluminium, steel and coal. According to the Government's reports, almost 80 per cent of New South Wales emissions come from extracting, processing and burning fossil fuels, which is primarily coal. Our use of renewable energy is lagging behind. Electricity generated by renewables in New South Wales has decreased under this Government. Furthermore, the transport sector is responsible for approximately 19 per cent of greenhouse emissions in New South Wales, and we have the lowest use of renewable energy. Forecasts indicate that those emissions will grow in the future, which means that New South Wales faces some specific challenges to reduce emissions.

There is some good news, which is due in part to the environmental policies that were mostly developed by Labor governments in past decades. New South Wales emissions are lower now than they were in 1990. This is mainly as a result of the changes to land-clearing laws that saw the reduction of broadscale land clearing in this State. We fear that the Baird Government wants to take an axe to that approach with the new biodiversity laws. When Labor was in office, it had a target for reducing emissions. That target now seems modest in the wake of recent science and technological advances, but it was a target nonetheless. Labor believes setting a target is the best way to achieve a drop in emissions, which is why we are committing federally to achieving net zero greenhouse gas emissions by 2050. A New South Wales Labor government will ensure that our State does its fair share to meet this target and to develop a plan to do so while providing affordable energy. However, more work and consultation must be done before we can set the target. In Victoria, the Independent Review Committee appointed to examine Victoria's Climate Change Act found that:

Incorporating targets into legislation delivers:

An *internal signal* to the rest of government about the priority a government is attaching to an issue. The political pressure to achieve them will be increased.

An *external signal* of the seriousness of a government's intent.

Three of Australia's States and Territories—South Australia, Tasmania and the Australian Capital Territory—have also set targets to reduce their emissions, with South Australia most recently committing to net zero emissions by 2050. Labor believes in taking strong action, but we want that action underpinned by the most up-to-date science and extensive community engagement. Untested targets cannot be supported without understanding what their impact will be on New South Wales. We also believe any efforts in New South Wales must take into account the agreement reached in Paris last year.

In December the 2015 Paris Climate Conference signed the first agreement requiring all nations, rich and poor, to pledge action on climate change, with the stated aim of restricting global warming to "well below two degrees Celsius above pre-industrial levels", and to strive to limit it to 1.5 degrees Celsius. That agreement must be central to this State's plans. Furthermore, there must be full consideration of the impact that any transition will have on the livelihoods of people working in carbon-polluting industries. Green jobs are fantastic but it is not good enough to state that the "future is green jobs" without doing the work to transition industries, workers and their communities. We must do the work to understand what opportunities there will be for new industries. Solar plants or electric car manufacturing companies might generate an equivalent number of jobs to

offset job losses in another high-carbon industry, but if those jobs are not in the same community we are not properly preparing our State for a decarbonised future. We must look at where those opportunities will be and what skills those new workforces will need.

Nationally and across the States, the Labor Party has been taking action to address climate change. This action is coupled with extensive research and consultation to ensure that climate change policy is evidence based. In November last year South Australia adopted a new climate change strategy, which included a commitment to achieve a target of net zero emissions by 2050. This figure was not plucked from the air but was the result of a thorough review, extensive cross-government coordination and the detailed work of South Australia's Low Carbon Economy Experts Panel. In Victoria the statutory review of the Climate Change Act 2010 has just been released. The review recommended that the Act include a long-term emissions reduction target that is based on the best available science and that it be adjusted when new information becomes available.

At the very least, it places Victoria on a pathway to pursuing efforts to limit the temperature increase to 1.5 degrees Celsius in line with the Paris agreement of December 2015. The Victorian Government is yet to respond to this review, but it sets the scene for a thorough consultation process before targets are introduced. Labor believes it is critical to develop policies that are based on evidence and thorough consultation. To that end, Labor cannot support the bill in its current form without proper examination of the issues it raises. There is much to support in the bill, and I commend the Hon. Jan Barham for her work. She has not sought to be too dictatorial about the pathway that we follow to take action on climate change. At this point, Labor cannot support the targets set out in the bill and the action that hinges on those targets without further work being done. Therefore, I seek to amend the bill. I move:

That the question be amended by omitting "be now read a second time" and inserting instead "be referred to General Purpose Standing Committee No. 5 for inquiry, report, and in particular

- (a) the impact of the emissions targets set out in the bill and their economic, social and environmental impact across New South Wales,
- (b) options for emissions targets based on the International Agreements made at the COP 21 Paris Climate Change Conference,
- (c) the impact of the mechanisms for mitigation and adaptation set out in the bill, and
- (d) any other related matter".

There is much to be commended in this bill, but members on this side of the House cannot sign up to an emissions target that has not been recommended by our own climate change agency. The Labor Party is also unwilling to sign up to targets, given that there are two different pathways coming up to the Federal election. One party is going to support 50 per cent renewables and climate change emissions reductions that are recommended by an agency; the Coalition is going to support the very modest, somewhat dubious direct action model. I would like to have a proper inquiry in New South Wales and try to set some targets on which we can agree. We want to see the action that Ms Jan Barham is trying to initiate through this bill. I flag that if we are unable to have this legislation sent to a committee the Labor Party will be unable to support it at this point. However, we will revisit this important issue later in the year and discuss it further.

**The Hon. BEN FRANKLIN** [10.50 a.m.]: Around the world a consensus is forming around man-made climate change, and the New South Wales Government wholeheartedly accepts the science of climate change and the need for action. As a Government, we continue to develop an ambitious agenda to respond to it and to safeguard our communities. Since we last debated the Climate Change Bill 2015 there has been significant international progress, and this Government welcomes the new global commitment to move to a world with net zero emissions. The successful Paris conference has given an enormous impetus to global action on climate change. Business investment is mobilising to support new and emerging technologies, and States and regions such as New South Wales will play an important role in our response to climate change. New South Wales is a member of the Climate Group, and we work with other State and city members who are, like us, committed to action on climate change.

Climate change is everyone's risk, and the impacts of climate change are already with us. But climate change also presents an opportunity to improve our wellbeing and prosperity through new technologies, new businesses and new jobs. New South Wales is the nation's leader on energy efficiency, with a strong target that is driving savings for households and businesses. That is why we increased by 70 per cent the target for our Energy Savings Scheme, which will reduce emissions by 1.9 million tonnes. We have billions of dollars of renewable energy projects in the pipeline, approved or seeking approval, and hundreds of megawatts currently

under construction. The Paris conference set a clear direction for governments and businesses. It was a change from the approach that this bill seeks, of binding targets and penalties, to one that understands that we all—as nations, regional governments, cities and companies—need to make the right investment in the environment and take action on climate change together.

I acknowledge Ms Jan Barham, and her efforts, not just on this bill but in this space for many years. This bill is well meaning; it is from the heart, and its ambitions are noble. As much as I would like to be able to support the bill, it is not wholly practical and in fact could harm New South Wales within our Federation. The direction from Paris is clear. The globe is moving towards a net zero emissions future—seeking to limit temperature rises to two degrees, with an aspiration of 1.5 degrees, acknowledging the significant impacts upon our friends and neighbours in the Pacific. We in New South Wales have targets on energy efficiency and renewable energy, so we traditionally do not have a problem with targets. However, at Paris some activist groups argued for binding global targets. Binding global targets were the very thing that made the Kyoto Protocol so difficult to negotiate and enforce, and limited its efficacy. At Paris, the world agreed to keep ramping up our efforts on climate change, with regular reviews to scale up efforts together. Instead of one deal to end all deals, we saw a global trend for countries, and critically for businesses, to invest.

The bill, however, seeks to impose binding targets on New South Wales—targets over which we have only limited control. It does not ask the Paris question: How can we change investment patterns and create the infrastructure and jobs we want? A policy change in another State or federally that may increase our New South Wales emissions would allow the Premier to be brought before the courts, and force government to take costly and punitive measures that could well damage our economy. As an example, brown coal generation in Victoria is the highest-polluting stationary energy in Australia. It is clear that we need fewer emissions from brown coal to reduce our emissions as a nation. But if emissions from brown coal decrease, emissions from more efficient black coal in New South Wales tend to increase to replace them. All up, Australia would have fewer emissions, but the relative share between Victoria and New South Wales would switch.

That is a good thing for the climate, but under this bill it would leave New South Wales liable, and we would be forced to sacrifice economic stability to meet the legislated targets. In all possibility, the bill could end up prolonging the life of brown coal generation in Victoria because the targets are so out of line with our national targets. That would be a perverse outcome. This does not mean that we will shirk our responsibility. As a Government we are scaling up our action on climate change. That is the Paris way. We are driving investment in energy efficiency and renewable energy. That is why we supported the renewable energy target at its original 41,000 gigawatt hour target. That is why we have an energy efficiency target of 16,000 gigawatt hours by 2020. We have a planning system brimming with new renewable energy projects, and are hungry for more investment. As a Government, we purchase additional green power, and major projects such as the north-west rail link will drive additional renewable energy investment in New South Wales. We are auditing the roofs of government buildings to unleash a rollout of solar panels, at no cost to taxpayers.

We want to create the jobs and infrastructure of the future, while making sure that our regions benefit. The New South Wales Climate Change Fund is driving serious investment in new jobs in New South Wales. Supported by investment from the fund, we have seen construction completed on AGL's \$450 million, 155 megawatt Solar Flagships projects in Nyngan and Broken Hill and, with them, hundreds of jobs in construction. Furthermore, AGL, as an owner of New South Wales black coal generators, has flagged with the Government when it aims to retire those plants. It has also indicated that it will not be building any more coal power plants in New South Wales without capture and storage technology because new wind and solar plants are increasingly cost competitive. Only weeks ago, AGL announced a major pivot to put billions of dollars into new renewable energy plants. That is the sort of investment we want and should encourage in New South Wales.

In December last year I spoke at the People's Climate March in Byron Bay about the Government's hopes for a successful Paris summit. I know as well as most that a consensus is forming on climate change and the community wants to see real progress rather than to hear just words. On that day, as climate change marches were happening all over Australia and the world, we also heard about Byron Shire Council sending representatives to the United Nations Framework Convention on Climate Change [UNFCCC] in Paris. They were there to promote the shire's Zero Emissions Byron project, which aims to make Byron shire Australia's first zero emissions community. This ambitious target represents a collaboration between Byron shire, climate research organisation Beyond Zero Emissions, and the Queensland Centre for Social Change.

This is not only a council-level initiative; it also aims to encourage and partner with other local initiatives, including various community-based renewable energy developments, the creation of the country's

first community energy retailer, and promotion of rooftop solar systems for local households and businesses. What a phenomenal initiative. This is the sort of collaborative approach that was championed in Paris. Let us not forget that the outcome in Paris was a change from the approach that mandates only large governments with rigid binding targets and penalties, to an approach that focuses on all levels of government, as well as businesses and the community, to invest in the environment and act on climate change together.

As a Government, we are focused on creating the right environment and the right incentives so that initiatives such as Zero Emissions Byron can be achieved. But like the Paris accord, our policies on climate change are not static. Our Energy Efficiency Action Plan has an ambitious target of reducing energy by 16,000 gigawatt hours by 2020. We have made great progress, and continue to announce measures to ensure that we reach that target. Energy efficiency saves high bills, reduces emissions and avoids costly infrastructure. It frees money to hire people and to invest. Renewable energy investment is being driven by our Renewable Energy Action Plan, and our strategic investments from the Climate Change Fund in large solar and facilitating projects.

I will speak for a moment about our regions. Regional Australia experiences some of the greatest risks of climate change—risks to agriculture from reduced rainfall, risks to our coasts from rising sea levels, and risks from an increased number of bushfires and storms. That being said, we also have the most to gain from action. We want a bright solar future for regional New South Wales, where renewables diversify incomes and energy efficiency reduces energy poverty. Insisting that we safeguard and grow regional communities is a key aim of The Nationals. That is why we insist on a fair planning system that ensures renewable energy projects benefit communities and landholders.

That is why we have supported another Z-NET town—or zero net emissions town—in Uralla near Armidale, where the community came together to map out a sustainable future. Just like Byron shire, Uralla has identified the huge savings and improvements that can now progress with current technologies and processes. Paris provided greater certainty for investors about global action on climate change. That is why more households and companies are taking notice—and there are grounds for optimism. Since only 2008, wind generation has increased twenty-five-fold, and solar generation fifty-fold. What we are doing is working, and I fear that the proposed bill will take us backwards.

Let us look at the bill closely. Much of The Greens' Climate Change Bill duplicates existing government work. For example, the bill proposes that a climate change adaptation plan be prepared every four years. The Government's climate modelling is the most advanced of any State, and is driving change in government, improving how we fight fires, and informing how we respond to more frequent extreme weather. We do not need legislation for this. Government frequently makes plans without legislation, under executive mandate rather than legislative action. This Government already has three ongoing plans covering energy efficiency, renewable energy and government resource efficiency. In addition, we already have the Climate Change Fund delivering bill savings and investment to New South Wales. We are in competition with other States to attract investment and jobs in clean technology, and that is a good thing. But, unfortunately, this bill is not about creating the right economic environment for businesses to drive action on climate change; it is about trying to punish New South Wales through static rules, when we live in dynamic times.

We manage climate change in the spirit of the Paris accord, and encourage all in our community to step up—government, community and business. Instead of the perverse outcomes of The Greens' bill, such as encouraging more emissions in other States, we are seeking to work with other States and the Commonwealth to reduce emissions together. It is clear that the New South Wales Government is serious about addressing climate change and its impacts. This Government is focused on taking real and meaningful action, and is constantly improving its policies and programs. That is why we are recognised as a leader on energy efficiency, climate science and adaptation, and we will drive jobs and investment in renewables in a way that benefits our regions.

Lastly, let me just say that although we may disagree about the functionality of this bill, what unites us far outweighs what divides us. Although many may disagree in this Chamber about the mechanism, we certainly agree on the outcome. Representatives of all parties and ideologies can agree that a clean energy economy is a good thing—for the environment, for the economy and for the health of the people of New South Wales. I commend Ms Jan Barham for her many years of work in this space and maintain that while I do not agree with the nuts and bolts of the bill before the House, I stand with her on the need for a rapid escalation of our efforts at the national, State, local and community level to curb the effects of climate change.

**Dr MEHREEN FARUQI** [11.02 a.m.]: I speak in strong support of my colleague Ms Jan Barham and the Climate Change Bill 2015 that she introduced on behalf of The Greens. The bill will establish a framework

for action on climate change mitigation and adaptation in the State. It will set targets for the reduction of greenhouse gas emissions and provide for monitoring and reporting of the impacts of climate change on people, communities and ecosystems in our State. According to the National Aeronautics and Space Administration [NASA] February this year was the warmest month on record, and 2016 is heading to become the warmest year on record—warmer even than 2015, which had itself set a clear record over previous warmest years. The statement released by the World Meteorological Organisation [WMO] to coincide with World Meteorological Day, which is in fact today, is titled "Hotter, drier, wetter. Face the future." This is the reality we have to face today. The WMO emphasised that:

The year 2015 made history, with shattered temperature records, intense heatwaves, exceptional rainfall, devastating drought and unusual tropical cyclone activity. That record-breaking trend has continued in 2016.

According to the Australian Bureau of Meteorology, February was warmer than average across the country, with no State or Territory recording a negative area-averaged temperature anomaly for either maximum or mean temperatures. In February this year, Sydney had the longest spell above 26° Celsius on record for any month. Baseline ocean temperatures have risen due to global warming and they are causing devastating bleaching of coral reefs. On Monday WWF-Australia released images showing severe bleaching of coral reefs in the World Heritage protected Great Barrier Reef—the worst it has ever been. The reef is not only an environmental treasure but also brings billions of dollars into the economy through tourism. Ecologists are saying this is the worst they have ever seen in many areas. Lizard Island reefs have been 90 to 100 per cent bleached. This is only some of the ever-mounting evidence on climate change. We need the strongest action and we need it now. There must be no more delays and that is why Ms Jan Barham, on behalf of The Greens, introduced the Climate Change Bill.

While temperature records are being broken left, right and centre; while ocean temperatures rise; while the glaciers and sea ice in the arctic melt; while global, national, State and local reporting on the state of our environment recognises major and steady declines in biodiversity; while loss of species is higher than ever before; while sea levels rise; while snow on the beautiful Himalayas is melting as we speak, creating flooding and havoc for thousands already living in poverty; while unjustly those suffering the first and worst impacts did not really contribute to the making of this problem; and while women, especially those in developing countries, are at the forefront of changing climate, what is the Government doing to address climate change and to cut carbon emissions? Bugger all! Last year, a report by the Climate Change Authority stated that Australia is still the thirteenth largest emitter in the world. Australia is also the largest emitter of greenhouse gases on a per capita basis among developed countries, emitting 27 tonnes of carbon dioxide per person—nearly three times the per capita emissions of Germany. The then Chair of the Climate Change Authority, Mr Bernie Fraser, said:

The assertion that, as a small emitter, Australia could sit on the sidelines of this particular global contest was always more self-serving than credible.

To maintain that posture in the light of increasing international actions to reduce emissions—by developed and developing, big and small countries—makes it even less credible.

New South Wales has a real opportunity to lead the way on this issue, but only if members of the Liberal-Nationals Government take their heads out of the sand. Time and again the empty rhetoric of the Liberal-Nationals Government's commitment to stopping climate change has been exposed, both at the New South Wales State level and at the Federal level. We saw a good example of that today in the Chamber, when members were as always trying to talk the talk but never taking a step forward to walk the walk. The Climate Change Bill introduced by Ms Jan Barham is their chance to do something.

It is also an opportunity for the Labor Party and the crossbenchers in this House to support the much-needed cuts in greenhouse gas emissions and to move towards a renewable energy economy. I have spoken many times in this Chamber about the need to combat climate change at all levels, including through a transition to 100 per cent renewables and by ending our reliance on fossil fuel energy. As we all know from The Greens' bill that Dr John Kaye introduced in Parliament, transitioning to 100 per cent renewable electricity sources is possible, affordable and essential.

New South Wales is one of the most climate change-intensive jurisdictions in the world. More than 37 per cent of the State's annual greenhouse gas emissions come from burning coal and gas to generate electricity. It is time to turn this record around, and it is time to cut our contribution to dangerous climate change

and move to a positive future which also creates tens of thousands of long-term sustainable jobs. The objects of The Greens' Climate Change Bill 2015 include: to ensure that government considers the impacts of climate change in all its policies and programs.

Climate change is often called a wicked problem, one of the reasons being it is multifaceted and cuts across almost all policy areas. If this bill were in place, decisions to build the polluting WestConnex and NorthConnex motorways would not have been made. In New South Wales, fuel use in road transport, mainly from cars, emits 14 per cent of greenhouse gas emissions. This bill would force decision-makers to reconsider their plans and focus on transport policies that favour public and active transport, freight on rail and high-speed rail—plans that reduce carbon emissions. The enactment of this bill would also have the benefit of preventing the Government from making some of its worst decisions. One of these is just over the horizon, the repeal of the Native Vegetation Act.

The plan to repeal the Native Vegetation Act and introduce much weaker land clearing controls, as well as the heavily deficient biodiversity offsetting policy, will lead to land clearing. With the backdrop of a worsening state of the earth, and with the impacts of climate change adding and exacerbating threats to biodiversity, it is essential that we further strengthen our biodiversity and conservation legislation and policies. The Government must provide adequate resources and funding for their effective implementation. Without strong and enforced policy and legislation working to protect the environment we will lose even more of our precious biodiversity.

Land clearing will result in massive increases in carbon pollution. When Queensland weakened its native vegetation laws, it led to a large increase in land clearing. Two years ago the Queensland Newman Government severely undermined native vegetation rules, which resulted in the doubling of land clearing and the removal of almost 300,000 hectares of bushland, which is 20 times the size of the Royal National Park in Sydney. It resulted in the release of 35 million tonnes of carbon dioxide. Tom Mitchell from *www.newmatilda.com* noted that, according to the World Wildlife Fund, the increased land clearing in Queensland cancels out \$472 million, or 80 per cent, of the \$557 million purchased by the Federal Government as an investment in emissions reductions and greenhouse gas abatement. We cannot continue to release tonnes of carbon into the atmosphere and not expect the catastrophic effects of climate change to multiply.

The Paris climate summit late last year showed that countries want to act to tackle climate change. It is up to these countries to make the economic and industrial changes required and it is something to which New South Wales must contribute. While some governments may want to remain wilfully ignorant, others are forging ahead. People, communities and organisations are moving forward in leaps and bounds. We have seen incredible divestment campaigns, successful movements to stop coal seam gas mining, renewable energy capacity across the world is booming and coal is fast becoming a stranded asset. New South Wales must join this unstoppable movement of courage, hope and transformation. I commend the bill to the House.

**The Hon. MARK PEARSON** [11.12 a.m.]: The Animal Justice Party supports the Climate Change Bill 2015. I congratulate Ms Jan Barham and her staff on all the work that has gone into this bill. The Animal Justice Party will support the Opposition's amendment to refer this bill to the relevant committee. In December 2015 the landmark climate conference in Paris found that animal agriculture contributes more to global warming than the transport system around the world, so it is important to take this issue on board. Thirty-eight years ago Russian scientist Vladimir Nesterenko publicly stated that the death of frogs in the Himalayan mountains was a measure of climate and atmosphere crisis. Frogs have a membrane that measures in the most sensitive way any changes to the environment. Vladimir Nesterenko was a visionary scientist.

We are now seeing the consequences of his prediction. It is important to look at the chain of events that led to animal agriculture. We clear old growth forest to grow grain with a lot of water, the grain is then harvested and transported long distances creating further emissions, it is stored in silos and from those silos transported to feedlots that practise intensive farming such as cattle, piggeries, battery hen facilities and other livestock. That then creates massive effluent pools. It is clear that the movement towards animal agriculture on such a major scale around the world is, as the Paris conference finding states, contributing more to global warming than the transport system around the world, which is quite a statement. It is irrelevant whether climate change is due to a natural change in the universe caused by the movement of the sun and earth or is directly related to human kind's activities or a combination of the two—which the Animal Justice Party says is the case.

What is relevant is that the human species is capable of bringing change, grappling with problems and crises and can contribute to reducing global warming. What is clear is that we have to support a move towards a

plant-based diet. While we push animal agriculture into China and other Asian countries we are striking at and feeding the fundamental problems contributing to global warming. The Animal Justice Party supports this bill but will also support the Opposition's amendment to send the bill to the relevant committee. The Animal Justice Party will push for terms of reference to include an analysis of the animal agriculture industry and its contribution to global warming. I commend the bill to the House. I commend the Opposition's amendment to refer the bill to the relevant committee.

**Mr DAVID SHOEBRIDGE** [11.18 a.m.]: As one of The Greens members of Parliament I give my strong support to the Climate Change Bill 2016 presented by my colleague Ms Jan Barham. This is a timely and essential bill. The objects of the bill should unite us as parliamentarians concerned with the future of our State, our children and the planet. The key objects are to set targets to reduce greenhouse gas emissions with a realistic but ambitious target of zero net greenhouse gas emissions by 2040. The bill puts in place strategies, policies and programs to meet those targets and to adapt to the effects of climate change. The bill calls upon the State Government to do the essential work with the local government sector, the private business sector and the community, to take action to address climate change.

If we do not discuss the science of this or acknowledge the deep international consensus that human-induced climate change is a reality and we do nothing, our civilised way of life and the ecosystems upon which we depend will be at imminent peril. The failure of this generation to act will be seen by all future generations as an indictment on us. That is the internationally accepted truth of the matter, although it may not be seen as the internationally accepted truth by all members in this Chamber. This bill builds upon and seeks to implement the recommendations of the Paris agreement.

The Paris agreement, which was signed on 12 December 2015, was one of those moments when people around the world were asking, "Can we do it? Can we address this juggernaut, this capitalist economy exploiting the world's resources at an ever-increasing rate and bring to heel the human-induced climate change in a realistic time frame so that we can save our planet?" When people looked back at the past two or three decades of work on climate change they had very real concerns. In the 1990s the Kyoto agreement gave them courage and hope, but in 2009 much of that hope was dispelled by the disaster at Copenhagen when the world came together and failed to do what was necessary to address climate change.

A considerable amount was hanging on what happened in Paris. Many people in the community were thinking, "If we do not get a resolution in Paris when will we ever get it?" When people consider climate change they realise that their activities—their jobs and the economic activity that puts food on the table and enables them to take their children to school—are producing greenhouse gas emissions and, unless something is done, their beaches may disappear, their food may become hideously expensive and their towns may be inundated. It is traumatic for many people at an international level to acknowledge that we are failing to address climate change. It was essential for us all to get that agreement in Paris, but what do we have? We ended up with an agreement that the Australian Government signed that had targets initially set by Tony Abbott but re-endorsed by Malcolm Turnbull. We got an agreement that small Pacific nations, Saudi Arabia and the European Union could sign. It was an agreement in principle. Article 2 of the Paris agreement states:

- (a) Holding the increase in the global average temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels ...

That 1.5 degree cap is essential if our Pacific neighbours are to survive. So there is that high level agreement in principle. Article 3 requires all countries to undertake and communicate ambitious efforts with a view to achieving article 2. That is to be done by nationally determined contributions. As an earlier speaker noted, the Paris agreement does not contain binding greenhouse gas reduction targets for any country. The reference to "holding the increase in the global average temperatures to well below 2°C above pre-industrial levels" is a statement of principle but without any clear enforcement mechanisms. Nations are only required to submit their nationally determined contributions outlining how they will cut their post-2020 emissions but nothing is binding those nations to enact them. The absence of international machinery to bind us to targets is what led The Greens to introduce this bill to set targets and to hold New South Wales to account. I largely endorse the position of Greenpeace to the Paris agreement. Greenpeace said:

We at Greenpeace had three key expectations for the Paris Agreement. We wanted:

1. A signal that the age of fossil fuels is over.
2. A commitment to soon and continuously improve national climate action, and
3. Global solidarity, including a way to make polluters pay for the damage they cause.

As a member of The Greens I fully endorse those three key expectations. Greenpeace then says:

Today we can say that we got 1, we achieved progress on 2 and that governments mostly failed us on 3. Justice and corporate accountability were the weakest points of the Paris deal.

I think that is true. Let us examine the Paris agreement—the most important issue facing us as a planet. International consensus seemed to be that it was too hard in a multinational agreement to put in place some binding mechanisms. It was too hard to get big industrial economies such as the United States of America, China and Russia, and mid-range players like Australia and smaller European Union countries around the table and get them to agree to anything binding as this was a multinational agreement and we could not possibly achieve such an arrangement.

I ask members to reflect on what happens when trade deals are put in place, such as the Trans-Pacific Partnership [TPP], the Australia-United States Free Trade Agreement and the Japan-United States Free Trade Agreement. When business interests are at stake and not modest things like the future of the planet, there are binding mechanisms and investor-state dispute resolution mechanisms and governments can be held to account and brought to book if they breach those trade agreements. As a member of The Greens who is interested in social justice I oppose those kinds of investor-state dispute mechanisms as they put too much power in the hands of corporate interests and diminish the role of democratic governments.

When corporate interests are at stake it is not too hard to come up with multilateral agreements that put in place binding targets, agreements and mechanisms to ensure that State governments meet their targets. When the interest is the environment and the future of our planet, it suddenly all seems too hard. What did Australia get out of the Paris agreement? We got Australia's intended nationally determined contribution to a new climate change agreement, issued in August 2015 and taken to Paris by Malcolm Turnbull. Let me read onto the record what that nationally determined contribution amounts to. I could read onto the record the 2½ page document that has an unmistakable Malcolm Turnbull stamp on the side of it, but under the stamp the name Tony Abbott is discernible. That document states in part:

Australia will continue to play our part in an effective global response to climate change. Under a Paris agreement applicable to all Australia will implement an economy-wide target to reduce greenhouse gas emissions by 26 to 28 per cent below 2005 levels by 2030.

Those targets of 26 to 28 per cent, or 5 per cent below, always relate to a base level that keeps moving. Originally, with the Kyoto protocol, there was a base level of 1990 emissions and our current targets are a base level of 2000 emissions. In order to make the reduction look more significant, the Turnbull Government signed on to 26 to 28 per cent reductions from 2005 levels of emissions, which amounts to a 19 per cent reduction on 2000 emissions. I accept that that is better than the current 5 per cent reduction on 2000 emissions—the current Labor and Coalition agreed target. If members continue to read this document they will realise just how mealy-mouthed Australia's commitment is. It reads as follows:

Australia's target is unconditional based on assumptions set out in the attachment. We will implement the 28 per cent target should circumstances allow, taking into account opportunities to reduce emissions and factors such as the costs of technology.

I read that verbatim. So, it is unconditional—based on assumptions in the attachment. And Australia will implement it—should circumstances allow. It is an agreement to agree. It is a commitment to do something unless they choose not to. If ever one needed to see—in black and white—why the bill introduced by my colleague Ms Jan Barham is so essential, one only needs to go to the nationally determined contributions signed by the Prime Minister, Mr Malcolm Turnbull, and by the Australian Government. It is confirmation—if more confirmation were needed—that the Liberal-Nationals Coalition at a State and Federal level is still captured by the climate change deniers who will do anything they can to wriggle out of real commitment to address climate change.

From a practical level, why is it essential that New South Wales commit to the Climate Change Bill? It is because "business as usual" is comprehensively failing us. The New South Wales Government might put up a website that talks about climate change adaptation; it might put up a website that talks about energy efficiency—but what is happening on the ground? As we debate this bill a bunch of planning bureaucrats are moving heaven and earth to try to come up with novel ways of approving expanded coalmines in the Hunter. Indeed, tomorrow submissions close on the Government's Draft Hunter Regional Plan. What does the Draft Hunter Regional Plan propose? Does it contain a proposal to reduce greenhouse gas emissions by 26 to 28 per cent from 2005? No, the Draft Hunter Regional Plan is about massively expanding the coalmining industry and the coal seam gas

industry in the Hunter Valley. The Government cannot have a plan to expand the coalmining industry and the coal seam gas industry, on the one hand—which is what the Draft Hunter Regional Plan does—and, on the other hand, pretend that it is addressing climate change.

There are proposals by the Coalition Government—pushed by The Nationals—to rip up the native vegetation laws in New South Wales. The only reason Australia has come within cooee of meeting the Kyoto targets is because of the restraint on native vegetation clearing in Queensland and New South Wales, as a result of native vegetation laws. If we remove those laws—as the Baird Government wants to do in New South Wales—we lose the capacity to meet our greenhouse gas emission targets. If the native vegetation laws are repealed by the Baird Government, in one fell swoop it will have removed the capacity to meet the Kyoto targets by 2020. Our capacity to meet the 26 to 28 per cent reduction of the Turnbull Government will be fatally damaged.

The State Government is continuing to put scarce taxpayers' dollars into a failing native forestry logging industry. The State has limited funds to pay for hospitals and schools. We know that logging is one of the key greenhouse gas contributors in New South Wales. We know, from the Government's State of the Environment report last year, that while 61 per cent of New South Wales is covered by native vegetation, only 9 per cent of the State is even close to natural condition. We know that forestry is the main source of disturbance to that remaining forest canopy—almost double the loss from agriculture and infrastructure. If we know those things, why on earth is the New South Wales Government spending \$78 million of taxpayers' money to subsidise that damaging industry? That is happening as we debate this bill.

The Government has a war on wind. The Leader of the House, the Hon. Duncan Gay, has repeatedly said that he is opposed to the wind industry and considers wind turbines in regional and rural New South Wales an appalling sight. The backbench troglodytes believe that the sound people cannot hear from windmills is a reason not to approve them. The war on wind needs to end. We have a State electricity sector in which the share of electricity that came from burning coal increased last year, rather than decreased. Our share of renewable energy decreased; the share that came from black coal increased.

The list could go on but what it identifies is this: That this House must pass this bill. We should not quibble, as Labor does, about whether the target should be 40 or 50 per cent; and we should not quibble, as the Coalition does, by saying that we do not need laws to address climate change. We need to pass this bill to do our bit to save the planet. I commend the work of my colleague Ms Jan Barham. I hope that, for the sake of future generations, we will be able to look back at this moment and say, "This is when we started to turn it around." I commend the Climate Change Bill 2015 to the House.

**The Hon. Dr PETER PHELPS** [11.35 a.m.]: It is great to be back in the saddle after a slightly bumpy cross-country event yesterday. I fell off the first hurdle, but off we go again. Once again, The Greens come into this place with a proposal even more bizarre than something the Labor Party Left could think up. That is hard to believe, I know, but from previous experience we can say that it is definitely achievable if The Greens put their minds to it. Once again they trot out the usual platitudes about climate change. They only say "climate change" these days because the old meme of "global warming" has been comprehensively disproved by the remote sensing satellite systems.

The Greens fail to acknowledge that, for the last 19 years, there has been a pause in this supposed man-made global warming. They fail to acknowledge the fact that the only things that cannot be tampered with by the National Oceanic and Atmospheric Administration [NOAA] or the National Aeronautics and Space Administration [NASA]—the remote sensing done by satellites—has shown that, for the past 19 years, there has been a zero trend in global warming. That does not matter to The Greens because they already have the mythology and the agenda going. Their people are already in nice little sinecures in the bureaucracy, academia and in non-government organisations [NGO]. They are all conveniently feeding on each other, and on taxpayers' money, as they rotate through the process of trying to suck as much life as they can from the productive elements of the economy for the non-productive, socialistic, parasitical elements of the economy.

If The Greens were honest, they would accept these global warming facts: Fact No. 1—there has been no trend, either upwards or downwards, in Arctic sea ice in the past 10 years. Let me say that again. For this supposed hottest period of human existence, there has been no trend whatsoever in Arctic sea ice in the past 10 years. Would The Greens admit that Greenland's surface has gained 400 billion tonnes of ice since August 2015? Will they accept the fact that Arctic sea ice is normal everywhere in the Arctic, except for the Barents Sea? Will they accept that, in the United States, the average percentage of days over 32 degrees Celsius last year

was lower than it was in 1999, in 1989 and in 1979? Will they accept that the average percentage of days over 32 degrees Celsius, across all temperature stations in the United States, was lower last year than through all the 1950s, all the 1940s, all the 1930s and all the 1920s? So much for the hottest year on record and this is taking into account the contemporary data we know has been tampered by NOAA and by NASA to try to create this mythology of rising temperatures.

We know for a fact that there has not been any rise in temperatures for 19 years. And do members know who says that? It is not me. It is not the Hon. Rick Colless. It was in the February edition of *Nature Climate Change*, one of those journals that has sprung up which never has a bad word to say about anthropogenic global warming or runs any line other than the usual warming alarmist line. This article in the February edition is entitled "Making sense of the early-2000s warming slowdown". The article's précis states:

It has been claimed that the early-2000s global warming slowdown or hiatus, characterized by a reduced rate of global surface warming, has been overstated, lacks sound scientific basis, or is unsupported by observations. The evidence presented here contradicts these claims.

Excusing the double negative, what that really says is that the 19-year hiatus has not been overstated, has a sound scientific basis and is supported by observations. Are these just some obscure scientists who have come along? Well, no. One of them is, in fact, Michael E. Mann. Mr Hockey Stick himself was a co-author of the report which says there has been no global warming in this period and that the pause has not been overstated—Mr Hockey Stick himself who is suing Mark Steyn in the United States for defamation of character after Steyn correctly pointed out that the hockey stick is in fact a complete fabrication.

The same Michael Mann has co-authored a report which gives absolute credence to what the Hon. Rick Colless and I have said previously in this place—that there has been a pause and, consequently, one can only conclude that, despite the fact that there has been a lineal increase in the percentage of carbon dioxide in the atmosphere to the point where we are now over 400 parts per million, there has been no corresponding warming. This grand mythology which has been created about climate change and anthropogenic global warming is a complete and utter farce. Even Mann admits that this is the case.

So the pause in alleged global warming is real. It is not an "urban myth" concocted by "evil deniers". It is quite clear that it exists, and people such as Michael Mann have said that it exists. That is uncontroversial to people such as the Hon. Rick Colless and me because we have actually looked at this. We have questioned the repeatedly made simplistic statements of the propaganda machine which have been churned out through non-government organisations, bureaucracies and academia whose lives all depend on the perpetuation of this myth. Quite frankly, one does not need a big sign saying, "If you challenge the global warming orthodoxy you will not get funded." There is no need for a big sign saying that: If one challenges the orthodoxy, one does not get the money.

As one who has been involved with the academic system for many years, it is clear that whoever pays the piper calls the tune. Members opposite are always very quick to jump on any allegation that coal or fuel or some other industry has sponsored a particular paper and that that paper has resulted in particular outcomes, but they are deathly silent about studies that they say support them, conveniently forgetting that their entire industry depends upon a predetermined outcome which is consistent with a particular government policy, whether it is through academia, bureaucracy or non-government organisations. That is the sort of thing we are up against and that is the sort of thing I have railed against time and again in this place. But it is good to see that even the global warming alarmists like Michael Mann have come to the realisation that perhaps the settled science, the inevitable science, the science which cannot possibly be refuted about a direct link between carbon dioxide emissions and global temperatures, now appears to be on very shaky ground.

**The Hon. RICK COLLESS** (Parliamentary Secretary) [11.44 a.m.]: I oppose the Climate Change Bill 2015. The climate on this planet has always been changing. The one thing that is constant is that climate change is happening all the time and will continue to happen all the time. What I will challenge is the impact carbon has on that process. Members will remember the Al Gore model of little black balloons floating in the atmosphere with the message that carbon dioxide is a terrible pollutant and so on. Carbon is not actually a pollutant, nor is carbon dioxide.

We often hear from The Greens about this, and Mr Jeremy Buckingham talks at length about how important farmers and the food production systems are. What he is talking about, of course, is carbon management. All of our food is based on carbon. It is the only source of all our food. All of our food products are based on carbon. Green plants take up carbon dioxide and convert it into sugars which form the basis of all

our food. Carbon dioxide is the fundamental fertiliser that all of our food supplies rely on. When animals eat this carbon dioxide based food—sugars, as they are called—they release the energy that is stored in those sugars. That is how we are able to move and function. Animals take up the oxygen and release the carbon dioxide then the plants take it up again. The carbon cycle is called the cycle of life because without the carbon cycle there is no life.

At the present time in our history—and I am talking about geologic time—carbon dioxide is at remarkably low levels and global temperatures show that we are in an interglacial period of an ice age, which means we are in quite a cool period of the Earth's history. For the majority of time, the Earth has been hotter than 20 degrees Celsius, especially during the last 250 million years since the Triassic period. Carbon dioxide levels over that time have varied from 2,000 parts per million down to what they are currently, which is between 300 and 400 parts per million. I am pretty sure I heard Mr Jeremy Buckingham say in his speech that the planet is now the hottest it has been for millions of years. That is just absolute nonsense.

In the past 2,500 years, for example, the temperature during the Grecian Empire period was about four or five degrees cooler than it is now. After the birth of Christ there was the Roman Empire in a period which was much warmer than it is now. Then there were the Dark Ages during which it was four or five degrees colder than it is now—that was between 600 AD and 900 AD. Then in the Medieval Warm Period temperatures were in fact five or six degrees hotter than they are now. People were growing grapes in the north of England and crops in Greenland. It was a time of great expansion in Europe. People had plenty to eat and it was warm, so they could function. It was a time of great expansion of the human population. We then went into the Little Ice Age, which ended in approximately 1800. Some members might remember that in fact during that period the Thames froze every winter.

**The Hon. Dr Peter Phelps:** It was cold that winter.

**The Hon. RICK COLLESS:** It was cold. They had markets on the Thames. To say the weather is the hottest now it has been for millions of years is an absolute nonsense. The climate is always changing. The Government opposes the bill and will oppose referring it to a committee. We are taking a sensible and strategic approach to climate change.

**Mr David Shoebridge:** Which you do not believe in.

**The Hon. RICK COLLESS:** I did not say that. I said that climate is always changing.

**The DEPUTY-PRESIDENT (The Hon. Trevor Khan):** Order! I have warned members that interjecting is disorderly at all times. Mr David Shoebridge continues to ignore my ruling. I will place him on a call to order if he continues to interject. I remind the Hon. Rick Colless that he must address his remarks through the Chair.

**The Hon. RICK COLLESS:** The Government opposes the motion to refer the bill to a committee. The Government is taking a strategic and sensible approach to climate change. Some members will understand that I believe there is climate change. However, I do not believe it has been generated by carbon dioxide levels. In the past carbon dioxide levels have been much higher and the temperature has varied above and below current temperatures irrespective of carbon dioxide levels. The Government's response to climate change includes the New South Wales energy savings target, which is 16,000 gigawatt hours per annum by 2020.

We have an Energy Efficiency Action Plan and we have made enhancements to the Energy Saving Scheme. The Government has issued a resource efficiency policy and a Renewable Energy Action Plan. It is also launching the New South Wales and Australian Capital Territory Regional Climate Model, which will undertake research and adaptation of that research as well as provide grants to local government. The Government is participating in the International Climate Group and is maximising opportunities for New South Wales under the Emissions Reduction Fund. Further announcements on climate change will be made later this year. There is no need for the bill to progress to a committee. The Government opposes the bill.

**Ms JAN BARHAM** [11.52 a.m.], in reply: When I introduced the Climate Change Bill 2015 in November last year—which was the first comprehensive framework proposed by any party in New South Wales to include climate change across all public decision-making and action—I talked about the duty of care that governments and elected representatives have to their citizens and the need for the application of the precautionary principle. We are elected to speak and act on their behalf and to safeguard their future. The

Greens know and respect the responsibility that is placed upon us to represent the interests of the people of this State, to protect their future and to allow future generations the opportunity to pursue their own wellbeing without inheriting the consequences of our mistakes and failures to act.

Global warming is a growing emergency for our natural environment and biodiversity. It is a threat to the health and wellbeing of our communities. There is no doubt that continuing on our path of high greenhouse emissions and inadequate planning for the impacts of a changing climate will worsen its effect. The risks to future generations are foreseeable, but we can address them. We must recognise that addressing climate change will bring opportunities and deliver benefits to us and future generations. We can make the transition to cleaner energy, develop a sustainable and resilient society and lead the way in developing new industries that will form the backbone of our future prosperity.

If we do not do all we can now to address the risks ahead of us, we should feel ashamed. If we do not do all we can to address climate change, we are failing our duty to the people of New South Wales to avoid the risks of an uncertain future. I expect that future generations will not think kindly of our failure to do what is needed and they will be entitled to be outraged that for more than 25 years after the scientific warnings became loud and clear we allowed the lobbying of those with interests in protecting the status quo and profits to avoid our responsibility to safeguard the future. The Climate Change Bill presents an opportunity for this Parliament to make the necessary commitment and to set this State on a trajectory to avoid failure.

The bill requires the Government to achieve net zero emissions by 2040 and to set annual carbon budgets that lock in the trajectory to meet the target; to develop four-year greenhouse gas emissions and climate change adaptation plans to provide guidance and certainty to the community and business leaders; and to ensure all government decisions are consistent with the climate action plans, with judicial review available to the public against decisions that would undermine climate action. Under this bill, the Government must make every public authority a responsible partner, ensuring a whole-of-government, all-of-society approach to addressing climate change; establish an expert climate change commission to provide expert advice to government and the community; report annually to Parliament and the public the progress towards achieving zero emissions; and prepare for the impacts of climate change.

When I introduced the Climate Change Bill it was a month before the twenty-first conference of the United Nations Framework Convention on Climate Change. In my second reading speech I warned that Australia was set to be the dunce of the Paris conference, with the Turnbull Government clinging to the inadequate emissions reduction target set by his predecessor, Tony Abbott. However, I highlighted that New South Wales could take the lead, like many other sub-national and local governments. Thankfully, the international community of leaders who gathered in Paris worked to establish a new agreement with stronger aims that reflect the growing awareness of the risks and impacts of climate change. More than 190 countries came together and agreed to pursue efforts to limit global warming to less than 1.5°C above pre-industrial levels and to hold warming to well below 2°C. Those aims acknowledge that 2°C of warming is not a magic threshold below which warming will not be dangerous.

The more we allow the world to warm, the greater the risks and impacts will be. The stronger and quicker we act to limit warming, the better equipped we will be but we must still build resilience and adapt to warming. The impacts of climate change are already being felt. New South Wales, along with much of Australia, has endured a record heatwave. We are far from alone in feeling unusually hot. According to the National Oceanic and Atmospheric Administration [NOAA], 2014 became the hottest year for global average temperatures since records began in 1880. It was even hotter in 2015 and February 2016 has blown away all the monthly records before it, with NOAA putting the global temperature at 1.21°C above the twentieth century average. In Australia, heatwaves cause more deaths than bushfires, cyclones, earthquakes, floods and severe storms combined, and warming will increase risks to health and people's lives.

Our natural environment is showing the effects of weather patterns such as El Niño, which is exacerbated by a warming climate system. North of us, the world heritage listed Great Barrier Reef is suffering major coral bleaching with water surface temperatures in the Far North reaching as high as 33 degrees. In the Arctic, warmer winter conditions has put sea ice extent in a dangerous starting position as the melt period is about to accelerate over the next six months. At the same time, Australia's performance in addressing climate change has not improved. The last two quarterly updates on the National Greenhouse Gas Inventory show that our emissions are actually increasing, with RepuTex Carbon warning that we are one of only a few developed countries—behind only Finland, Sweden and Estonia—expected to fail to reduce emissions by 2020. That current trajectory, resulting from our ongoing reliance on fossil fuels, the weakening of our effective climate

change policies and the ineffectiveness of the direct action framework, means that our emissions show no signs of peaking before 2030. The data from our emissions inventory show that Greg Hunt's claim that our emissions have peaked is delusional.

The Paris agreement opens for ratification next month, and national governments will be responsible for signing the agreement and complying with its reporting and review requirements. We have already seen indications that some other national governments recognise that they will need to step up their actions. Ministers in the United Kingdom government, which already has a statutory target to reduce emissions by 80 per cent by 2050, have acknowledged they will need to shift towards planning for a zero carbon future. Achieving the actions of the Paris agreement will not be possible if climate action is left entirely to the national government. It will take action at all levels of government and across all sectors of society and the economy. States and territories around the world are acting to chart a course to lower greenhouse emissions, improve climate resilience, and capitalise on the innovation and investment that can be unlocked in renewable energy and sustainable industries.

As an example, South Australia and the City of Adelaide have set the goal of making Adelaide the first carbon neutral city. South Australia is also a member of the Compact of States and Regions—an international program in which sub-national governments set emissions reduction targets and report their annual performance. Well done, South Australia. The Government's opposition to this bill is about climate denial. Given the need for urgent action, including through State legislation and government policies—and especially considering the worsening climate impacts that are already affecting us—I am disappointed but, I hate to say, not surprised that the Government has indicated that it will not support the bill. Since the Paris convention a flood of reports and research has identified the looming catastrophe of climate change and the dramatic impacts that will affect the world and life as we know it. There are also solutions—actions that will avert the foreseeable risk and also save our precious environment, agriculture, water and wellbeing. The added bonus is that we can do this and create jobs and prosperity.

Twenty-five years ago some of us may remember that a Liberal Premier—Nick Greiner—indicated that New South Wales would support climate action. He expressed his support for the Toronto target of a 20 per cent reduction in greenhouse gas emissions by 2005. Unfortunately, the support was quickly undermined. I will refer to comments made by the Hon. Ben Franklin about directing investment. AGL's submission to the Climate Change Authority's review of policy options states that industry needs long-term certainty. That is what industry wants. Industry wants governments to take leadership and to show the way. Industry will adapt. Industry is able to adapt but is looking for leadership. However, there does not seem to be any leadership at present.

It is irresponsible that the Liberal Party and The Nationals want to waste even more time and are willing to allow the problem to worsen. Sadly, it is apparent that many in the Liberal Party still think we need to debate whether climate warming is real, given the recent motion passed at the Liberal Party State Council calling for public debates about climate science in every capital city. Given the extent of climate change denial within the Coalition parties, it is not surprising that the Government cannot acknowledge this bill presents targets and a plan for action that are consistent with the extent of the challenge. The Government's position, as put by the contribution of the Hon. Shayne Mallard, shows the extent of its inability to confront the seriousness of climate change. The Government objects to the fact that the bill will require all governments from this point forward to plan and consider climate change in all their decisions and actions.

The Government also objects to allowing legal proceedings to prevent or remedy actions that would undermine achieving the necessary climate targets. These are broad and strong requirements because broad and strong requirements are needed if we want to achieve the aims of the Paris agreement. Government policies and actions across all portfolios have implications for our greenhouse gas emissions and our preparedness for the impacts of climate change, and specific initiatives in the energy and related sectors are not going to be enough to deal with the challenge. People should have access to the courts to hold governments accountable on the most significant challenge to the future of our environment, society and economy. If a government is failing to act on its duty of care the public has every right to ask a court to enforce the public interest in addressing climate change. That right is made all the more important now that that this Government has opted to shut down people's right to protest.

I note that the independent review of Victoria's Climate Change Act has recommended the adoption of a climate charter. The concept of a charter and overarching framework that applies principles across all public administration and policies—similar to a human rights charter—was put forward by Environmental Justice Australia. I congratulate it and acknowledge that its contribution influenced the drafting of the legislation I have

introduced. I also note that some members of this place appear to be unaware that other States have climate change legislation. They have already done it. We are not number one; we are failing. We are behind the pack. Let us be clear that Victoria, the Australian Capital Territory and South Australia are leading the way. Take that on board, New South Wales.

The Government has said that it is already acting to address climate change, but it is touting too little, too late. I say to Premier Baird, Minister Speakman and the rest of the Government, "Get your acts together. Lead the Liberal Party and The Nationals past their infatuation with climate denial and get serious about taking action on emissions reduction and climate adaptation before even more damage is done." None of us can afford to leave it until 2019 before there is any hope of genuine action. I am sorry to say that the Labor Party is still not willing to commit to strong climate action and support the bill. New South Wales Labor and the Christian Democratic Party should join The Greens in supporting strong and robust targets.

**The DEPUTY-PRESIDENT (The Hon. Trevor Khan):** Order! There is too much audible conversation in the Chamber.

**Ms JAN BARHAM:** Labor members say that there is no support for the targets. That is not true; there is support. People do not want to know about the support for the targets because it might force them to face reality. Federal Labor announced preliminary emissions targets that were inadequate at the time they were put forward, and are even less adequate in light of the Paris agreement's pursuit of a 1.5 degree limit on warming. Net zero before 2050 or by 2040 is recommended by the Climate Institute and the Climate and Health Alliance. It is on the record. It is very clear. Members just have to look; if they do not look, they will not find out the position we are in.

The Climate Change Authority recommendations were based on keeping to the two degree warming limit. After the Paris meeting our ambitions must be strengthened, but I am not sure that that will happen. I acknowledge the contributions of all who have spoken in debate on the bill. The Hon. Shayne Mallard spoke first on behalf of the Government. That was brave. The Hon. Ben Franklin also spoke. I think he would want to support the bill but he cannot because he is lined up behind a government that does not have the guts to do it. We also had a contribution by the Hon. Dr Peter Phelps.

**The Hon. Dr Peter Phelps:** Point of order: To suggest that a member of Parliament does not have the guts to do something is quite rude and disorderly, and the member should withdraw.

**Ms JAN BARHAM:** To the point of order: In my defence, I was suggesting that the Government—not an individual—did not have the guts.

**The DEPUTY-PRESIDENT (The Hon. Trevor Khan):** Order! I did not hear exactly what the member said. I was not paying enough attention. Ms Jan Barham will proceed.

**Ms JAN BARHAM:** It was interesting to hear the Hon. Dr Peter Phelps talk about conspiracy theories. That will make interesting reading. I especially thank my colleagues who have spoken in strong support of climate action. Mr Jeremy Buckingham is a champion in the fight against fossil fuels and the devastation caused by their use. Dr Mehreen Faruqi has stood up for biodiversity and the environment by acknowledging what we are doing to our precious environment that sustains us. Mr David Shoebridge spoke honestly about the legal requirements to do what we need to do. I also acknowledge my colleague Dr John Kaye, who is sadly not with us today. He is a champion campaigner for renewable energy and against climate change. For a long time Dr John Kaye has been a strong voice in this House for the environment. At its heart, the legislation acknowledges the effort that is needed from us as responsible custodians of our environment. I acknowledge the contribution to the debate by the Hon. Penny Sharpe. I am sad that Labor thinks this bill should be referred to a committee. After 25 years of clear science, it is sad to think we need to go to another committee.

**The Hon. Penny Sharpe:** Not when you put up amendments without having modelling attached to them.

**Ms JAN BARHAM:** I note that we could amend the bill if members were willing to support amendments. There could have been a point when a 2050 target was reasonable and we could have worked towards that target. With time and reflection, we know we need to do more work on combatting climate change.

I am literally standing here in the shoes of my grandmother, with the voice of my grandfather in my head. My grandfather was a country cop in New South Wales, Sergeant Ede White. He faced the challenges of war, the Depression and racism. He told me that his responsibility and duty of care was clear: caring for community. That was his job, and it is our job. I hold that in my head and know why I am here and what I am meant to be doing. It is a shame that others do not know what they are meant to be doing in this place.

I am a proud member of The Greens and I am proud to have introduced this bill to take action on the climate emergency we are facing. I know that this is the right thing to do. It is our responsibility and we must act now on behalf of generations to come. I know that many members have children and grandchildren. I challenge them to feel responsibility not to the people of New South Wales alone but also to their children and grandchildren. They will suffer from members' inaction. If no action is taken, those who will vote against the bill should hang their heads in shame. I commend the bill to the House.

**The DEPUTY-PRESIDENT (The Hon. Trevor Khan):** Before I put the question I welcome to the public gallery school captains from a variety of schools across New South Wales.

**Question—That the amendment of the Hon. Penny Sharpe be agreed to—put.**

**The House divided.**

**Ayes, 9**

Mrs Houssos  
Mr Pearson  
Mr Primrose  
Mr Searle  
Mr Secord  
Ms Sharpe  
Mr Veitch  
*Tellers,*  
Mr Donnelly  
Mr Moselmane

**Noes, 22**

Mr Amato	Dr Faruqi	Reverend Nile
Ms Barham	Mr Gallacher	Mr Pearce
Mr Blair	Mr Gay	Dr Phelps
Mr Brown	Mr Green	Mr Shoebridge
Mr Buckingham	Mr MacDonald	
Mr Clarke	Mr Mallard	<i>Tellers,</i>
Mr Colless	Mr Mason-Cox	Mr Farlow
Ms Cusack	Mrs Mitchell	Mr Franklin

**Pairs**

Ms Cotsis	Mr Ajaka
Mr Mookhey	Mr Harwin
Ms Voltz	Mrs Maclaren-Jones
Mr Wong	Mrs Taylor

**Question resolved in the negative.**

**Amendment of the Hon. Penny Sharpe negated.**

**Question—That this bill be now read a second time—put.**

**Division called for and Standing Order 114 (4) applied.**

**The House divided.**

**Ayes, 5**

Ms Barham  
 Mr Pearson  
 Mr Shoebridge  
*Tellers,*  
 Mr Buckingham  
 Dr Faruqi

**Noes, 26**

Mr Amato	Mr Gay	Dr Phelps
Mr Blair	Mr Green	Mr Primrose
Mr Brown	Mrs Houssos	Mr Searle
Mr Clarke	Mr MacDonald	Mr Secord
Mr Colless	Mr Mallard	Ms Sharpe
Ms Cusack	Mr Mason-Cox	Mr Veitch
Mr Donnelly	Mrs Mitchell	<i>Tellers,</i>
Mr Farlow	Reverend Nile	Mr Franklin
Mr Gallacher	Mr Pearce	Mr Moselmane

**Question resolved in the negative.**

**Motion negatived.**

**Bill not read a second time.**

## WOOL GROWING INDUSTRY AND MULESING

**Debate resumed from 10 March 2016.**

**The Hon. MICK VEITCH** [12.27 p.m.]: I continue my contribution to this debate. As I told the House previously, I once attempted to make a living shearing sheep. I have been exposed to fly-struck sheep and the impact of wrinkly sheep. It is a horrific death for a sheep to be eaten alive by maggots. The practice of mulesing is necessary. As the Hon. Mark Pearson stated in his contribution to this debate, it is a difficult question for the animal welfare lobby. Mulesing is quite a painful procedure but the death of a sheep from maggot infestation and blowfly strike is much worse. The intent of this motion is to acknowledge all those farmers who are making the effort to move away from the practice. The sheep industry faces a number of issues. There was a time when breeders were encouraged to use animal husbandry to put more wrinkle on the sheep with the view that it would create more, higher-density wool. The downside was that it provided a wonderful environment for blowflies, maggots and flystrike.

A lot of work has been done since I last pulled on the dungarees, loaded the bogghi and walked into the catching pen. A lot of work has been done to change the way in which sheep now present. There has been significant investment by farmers and the Australian Wool Initiative in research and development to get rid of flystrike. Tools have been developed to assist growers, such as the visual score guide for breech flystrike. The heritability of breech flystrike is high and farmers are trying to breed it out. This will take time and it cannot be done in one breeding cycle. It took time to breed wrinkles into sheep and it will take time to breed them out to get rid of flystrike.

The genetic tools included in the Australian Sheep Breeding Values have been developed and commercially released to enable wool growers to breed sheep more resistant to breech flystrike and to monitor the impact on productivity. They provide visual scores for farmers to look at each year in their attempt to eliminate flystrike. A number of activities are taking place. It is interesting to examine the blowfly genome and the sequencing of those genes. About 2,000 unique genes have been identified in the blowfly, which provides researchers with an opportunity to target host-specific control chemicals and vaccines—an interesting initiative. Researchers are not just examining sheep that have been affected by flystrike; they are examining sheep breeding, their heritability and the blowfly genome—an interesting way of addressing the issue.

I congratulate the Hon. Mark Pearson on moving this motion. This is an important issue not only for regional New South Wales wool buyers and clothes manufacturers but also for international wool buyers and clothes

manufacturers. This motion has given us an opportunity to acknowledge that farmers across this State are taking serious measures to get rid of flystrike. The uptake of pain relief by Australian wool growers should be applauded. There should be premiums for people who are making an effort to get rid of maggot infestation in their sheep. The market is not providing the premium that it should for people who are investing money to take measures to get rid of flystrike. A matter for another day is whether there should be regulatory enforcement of pain relief.

The Minister, in his contribution to debate on this motion, spoke at length about a large number of producers who have already made an effort to address pain-free mulesing. Only a small percentage of farmers are not administering pain relief, but they are making an effort to do so. I have spoken to people who said they were moving towards administering pain relief and that they were identifying farm practices and animal husbandry techniques to enable them to do so. It would be unfair to say that farmers were not doing this. The message is that most people are doing it and others are moving towards it.

As I said earlier, as a shearer some things stay with you even decades after you give the gig away—that dull ache in the small of your back, the pain in your shoulder, and the locking of your fingers and knuckles. That pain does not leave you. If shearers are to continue walking into catching pens and earning a dollar all that pain has to be put to one side. There are other things in the shearing shed that stay with shearers—that rich smell as they walk into the shed first thing in the morning.

**The Hon. Duncan Gay:** The urine smell.

**The Hon. MICK VEITCH:** There is a strong smell of ammonia from the urine that at times can take one's breath away and bring tears to one's eyes. That never leaves them. There is the heavy lanoline on their dungarees and singlets, which in the afternoon sticks to them and tears their skin. I know shearers who used to change their dungarees at lunch time. On really hot days they changed their singlets at morning smoko, at lunch time and at afternoon smoko. The one thing that stuck with me was the shearing of maggoty sheep, and not just in the breech area. The maggots would go through the cutters, spray up my arms and get into my clothing. We would also remove the wool around the wound, which meant that farmers lost productivity and the sheep were in pain. That memory remains. The Opposition will support the Government's amendments and, if they are passed, it will support the amended motion.

I conclude my contribution by relating a story for members. I will not say where I was but six shearers were on board and the sheep were heavily infested with maggots. The only way for the farmer to address the problem was to shear the sheep. We were operating from a campout shed. I used to like campout sheds as when we finished at the end of the day we could go to our huts, sit around, have a chat and listen to some of the old shearers telling stories. We worked all morning and were covered in maggots. We washed our hands and walked up to the huts to have lunch where we found that the cook had prepared fried rice. Not one shearer had lunch on that day. The Opposition will support the amended motion.

**The DEPUTY-PRESIDENT (The Hon. Trevor Khan):** I welcome to the Parliament Mr Charles Olsson, director of WoolProducers Australia health and welfare committee. I welcome also Lynda Stoner, chief executive officer of Animal Liberation NSW, and Ms Emma Hurst, campaign director for Animal Liberation NSW. I hope they enjoy their time in the Parliament.

**The Hon. DUNCAN GAY** (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) [12.36 p.m.]: I join other members in supporting the motion, which the Government will be amending. We cannot agree to a motion that endorses any product so we will move an amendment to tidy things up. I inform the Hon. Mick Veitch, who was a shearer and who worked in many shearing sheds, that my tertiary studies included two subjects—accountancy and sheep and wool, or wool classing. I worked in sheds as a wool classer. I still have my map of Australia.

**The Hon. Mick Veitch:** You were a guesser.

**The Hon. DUNCAN GAY:** I was a guesser. As a farmer with sheep on my property I can attest to the problems of flyblown sheep. It is a horrible thing. In those days we were breeding out the wrinkles that had been bred in the early merinos to get extra wool density. Many people went to the dorper studs at Merivale to get sheep that had fewer wrinkles. Earlier Deputy-President Khan acknowledged Ms Lynda Stoner in the gallery—someone with whom I worked in my capacity as shadow Minister for Primary Industries. I acknowledge the role that Charles "Chick" Olsson played. These changes would not have been made as quickly or as inclusively if it were not for Chick's ability to look outside the square and to have a go.

A senior member from the wool industry—and from a well-known pastoral family—said that we needed to do it better. Without that, it probably would have taken another decade. Our markets, our customers, would have resisted but it would have happened. However these changes would not have come about without the help of Chick Olsson or the lateral thinking of Dr Meredith Sheil. Dr Sheil is a specialist paediatrician and medical research scientist who recently appeared on the television show *Grand Designs*—the owner of a marvellous house in the Central Tablelands. I now call Chick Olsson a friend but I did not know him until he became involved with this issue. We both live in the Goulburn-Crookwell area. Chick's place is near Goulburn and my place is west of Crookwell which seems a long way away, although it is less than 60 kilometres.

I saw Chick's letter in *The Land* and the article about what he was doing and I could see there was a meeting of the minds. As shadow Minister for Primary Industries, I phoned him and said, "Mate, you are absolutely right. Can I help you in any way?" Chick went on to become director of Australian Wool Innovation and has done a fabulous job. I thank the Minister for Primary Industries for his kind comments earlier in the debate. The Hon. Rick Colless will move an amendment to this motion. Opposition members and Hon. Mark Pearson have both indicated that they will accept the amendment. I congratulate the Hon. Mark Pearson on moving this motion. He deserves recognition for this motion.

**The Hon. RICK COLLESS** (Parliamentary Secretary) [12.42 p.m.]: The Government opposes the motion in its current form so I foreshadow that I will be moving an amendment to it. The Australian wool industry is already breeding sheep that are naturally resistant to flystrike. This is the industry's long-term solution to managing flystrike in Australian sheep and one that is supported by the New South Wales Government. Industry trials at several sites across Australia have indicated that different factors in different environments have differing impacts on the level of flystrike susceptibility and resistance in sheep. The Australian wool industry has been supporting genetic research to identify sheep with a high natural resistance to flystrike. Sheep and stud breeders can use the standardised Sheep Breeding Values that are derived from 32,000 individual sheep records in the Australian National Merino Genetic Database. These traits identify sires with enhanced resistance to flystrike.

The increased availability and use of these tools is accelerating the rate of industry progress toward sheep that are naturally resistant to flystrike. The tools are already used in the breeding strategies of stud breeding operations and of commercial woolgrowers across Australia. Industry education and extension programs are available to woolgrowers to help them more efficiently select and breed sheep that are naturally resistant to flystrike and to manage the risk of flystrike without mulesing sheep. Australian Wool Innovation has also been working on a number of potential breech flystrike alternatives in recent years, including the SkinTraction intradermal—a liquid nitrogen process—and laser treatment. The intradermal agent SkinTraction continues to show promise as a low-stress procedure to reduce wrinkles and increase breech bare area in merino sheep.

Development has taken place of a process using liquid nitrogen to reduce tail and breech wrinkles and breech wool cover. The concept is encouraging but requires further development for the process to be fully validated and commercially viable. Liquid nitrogen is used in human medicine for the removal of warts and some skin tumours and in veterinary medicine for the removal of carcinomas in cattle and sarcoids in horses. The liquid nitrogen process, as an alternative to mulesing, is intended to be a procedure conducted in conjunction with lamb marking. Early scoping trials into the use of laser treatment have not been successful to date but the potential of this alternative warrants further assessment, which industry is undertaking. In addition to these methods, a pain relief and antiseptic agent is now available for producers to relieve pain, protect against wound infection and prevent bleeding during surgery.

The industry reports that within 30 seconds of application, the topical anaesthetic agent goes to work to eliminate pain and to provide wound anaesthesia. There has been rapid adoption of this formulation since its commercial release in 2005, with the latest figures now showing that the majority of farmers—about 77 per cent—are now treating mulesed lambs with pain relief. While we certainly support the member in congratulating the wool industry on the incredible strides it has taken in dealing with this issue, we cannot support the underlying intent of the motion, which is for pain relief to be mandated. That is the reason we will be moving the amendment. The simple reason is that because of all the excellent examples I have just outlined it is not necessary for government to use the big-stick approach when industry is already on the front foot.

The Australian and New South Wales wool industries are leading the world when it comes to research and development, changes of on-farm practice and genetic selection trials relating to the mulesing of sheep and lambs. In less than 10 years there has been a rapid and widespread adoption of pain relief with it being used in almost 80 per cent of mulesed lambs. That is an incredible advance and one worthy of congratulation. However, it does not create an argument for government to mandate the adoption of those methods for the remaining 20 per cent of the industry. Rather, it demonstrates clearly that the industry is on track to get there itself, without the need for draconian mandating.

I will make a few comments on the issue of flystrike generally. As the Hon. Mick Veitch pointed out, anybody who has had experience in dealing with fly-blown sheep will never forget it. My family had a sheep and cattle property in New England—in an area known for its merino sheep and its summer rainfall. When one puts those two things together the flies on the sheep are a constant problem during summer months. In the summertime as a young boy I would accompany my father into the paddock. We would have to do it every day of the wet summer period. We would get the sheep into a corner of the paddock and we would look at each animal as it ran past us. We soon learned how to identify those sheep that were affected. We would then have to catch the sheep, clip away the flyblown wool with hand shears and then dose the sheep with the antiseptic KFM Blowfly Dressing to kill remaining maggots in the wool.

There are two types of flystrike: primary strike, which is in the wool; and secondary strike, which is when maggots burrow into the skin of the sheep. I will describe this graphically because it is important for people to understand this terrible condition in sheep. When the wool is clipped away the maggots can be seen in the skin of the sheep. The maggots are scraped out of the skin with the back of the shears and then the KFM is applied. Having done that work for a number of years I have never forgotten what a gross job it is. This Government is concerned about these issues.

Much research has been done over the years. I mention in particular the work of Dr Jim Watts, a veterinarian who developed the concept of soft-rolling skin in merinos. Merinos were traditionally bred—and I think the Hon. Mick Veitch also mentioned this—to be wrinkly so as to increase the area on which the wool was growing. As one flattens out the wrinkles, there is a bigger area of wool and the theory was that they would grow more wool. But what was actually happening was that fewer wool fibres were growing in each follicle. Dr Jim Watts picked up on this many years ago and started selecting sheep for fewer wrinkles and more wool fibres in each follicle. He was able to reduce the wrinkling and the area of skin, and increase wool production at the same time. That sort of research and development has been going on for many years. The work practices Dr Jim Watts did in those days have been adopted by many breeders and commercial operators throughout the land. I move:

That the question be amended by omitting all words after "commends the 80 per cent of Australian wool growers who are:" and inserting instead:

- (a) breeding sheep that are less susceptible to flystrike; or
  - (b) using pain relief when mulesing sheep.
- (2) That this House encourages all woolgrowers to continue breeding sheep to be less susceptible to flystrike, and in the interim, to provide pain relief to sheep when mulesing.
- (3) That this House congratulates:
- (a) industry for investing in the development and promotion of pain relief solutions for mulesing and encourages further research and development into additional pain relief products; and
  - (b) world renowned fashion designers who are encouraging woolgrowers to breed sheep that are less susceptible to flystrike and to adopt best practice animal welfare outcomes.

The Government agrees with much of the member's motion but it has moved this amendment in order to congratulate industry on its work on mulesing. Industry has done an outstanding job on this front in an incredibly short space of time, with 80 per cent of Australian woolgrowers now breeding sheep that are less susceptible to flystrike or using pain relief when mulesing sheep. In its current form, the revised motion from the member focuses on two people who are working in this area when it has been an industry-wide effort involving a number of people.

As Government members noted last week, we were concerned about the motion in its original form because of what it implied—that stopping mulesing should be mandated. The New South Wales Government supports sheep and wool industries and has clearly stated that it does not support the mandating of sheep

standards in New South Wales. Put simply, there is no need to do so. As demonstrated by the Government's amendment, industry is doing these things already. Industry has made the investment into research and development and the promotion of pain relief solutions for mulesing and it continues to invest in further research and development, which should be encouraged rather than mandated.

World-renowned fashion designers are encouraging woolgrowers to breed sheep that are less susceptible to flystrike and to adopt best management practices. The original motion also promotes a commercial brand. The Government is of the view that the Parliament is not the place where that should happen. The Government congratulates all those who were involved in this process. With those few comments, I commend the amendment to the House. If the amendment is adopted I will support the motion.

**Dr MEHREEN FARUQI** [12.53 p.m.]: I thank the Hon. Mark Pearson for moving this motion. I firmly believe that animal welfare and animal protection deserve much more prominence in this place. I thank the Hon. Mark Pearson for his efforts. The Greens support the motion because it is a positive step forward. However, it will become a smaller step forward if we agree to the Government's amendment. This motion is ostensibly about mulesing. I am fortunate that The Greens NSW have a comprehensive animal welfare policy I can call upon which is based on strong principles of animal welfare and care, including: freedom from pain, injury or disease by prevention or rapid diagnosis and treatment; and freedom from fear and distress by ensuring conditions and treatment that avoid mental suffering. We have a very clear position that calls for the phasing out of sheep mulesing through the effective treatment of flystrike and breeding out of predisposed traits. I understand the intention behind mulesing; that is, to prevent flystrike that can cause inflammation, general systemic toxæmia and death in sheep.

**The Hon. Mick Veitch:** A painful death.

**Dr MEHREEN FARUQI:** I acknowledge the interjection of the Hon. Mick Veitch; it is a very painful death. But the process of mulesing without pain relief is deeply traumatic to the animal. The RSPCA has stated that research shows the pain of mulesing is similar to that of castration, but it lasts longer—up to 48 hours. It has been suggested that these types of operations without pain relief would be illegal if they were performed on a cat or a dog. In addition to this, significant behavioural issues have been observed in animals that have undergone mulesing without pain relief, probably due to the deeply traumatic nature of the process. Mulesing, particularly without pain relief, is a very old 1930s solution and it is now 2016. Mulesing should only happen if other humane procedures that can protect sheep from flystrike will not work and only under mandatory pain relief.

It is estimated that approximately 70 per cent of Australian woolgrowers use pain relief when mulesing, but this is not quite enough. Independent Commodity Services analyst Andrew Woods has described the 70 per cent figure as wishful thinking. He has said in the National Wool Declaration that only about 33 per cent of the wool sold in Australia states that it is non-mulesed or pain relief mulesed. Of the 33 per cent, 20 per cent was from farms where sheep were given pain relief, 10 per cent was from non-mulesed wool and 3 per cent was from farms where mulesing had ceased. I understand that presently mulesing may not be able to be avoided in all cases, but in this day and age it beggars belief that it is not mandatory to provide pain relief for a process that requires cutting flaps of skin from around a lamb's breech and tail to create an area of bare, stretched skin.

The motion mentions Tri-Solfen, an antiseptic and anaesthetic which lessens bleeding. This has been a great step forward in affordable and easy-to-use pain relief. Tri-Solfen has now been scheduled as a schedule 5 over-the-counter drug, which means it can be purchased from rural outlets and veterinarians. The Australian Wool Growers Association suggests that 40 million lambs have been treated with this product. Importantly, the cost of using it on a lamb is only about 60 cents. There is no reason why every lamb that undergoes mulesing cannot have pain relief. Unfortunately, we may be unlikely to see any moves toward this whilst mulesing remains exempt from animal cruelty legislation. Prior to the State election this Government stated in its memorandum of understanding [MOU] with the NSW Farmers Association:

We also re-affirm our commitment to non-mandatory standards and guidelines for animal welfare.

The motion also mentions Mr Laurence Modiano, a leading European wool buyer and distributor and former Wool Innovation Australia board member. Mr Modiano wrote to the agriculture Minister in August last year calling for mandatory pain relief in surgical procedures in the new Australian Animal Welfare Standards and Guidelines for Sheep that are currently under consideration by State and Territory governments. He stated:

The non-use of analgesia in on-farm surgical procedures is not acceptable to consumers. It is not acceptable to consumer brands. It is not acceptable to the wool trade at large. It is not acceptable to any right-thinking human being. And that includes the majority of wool growers.

Having 100 per cent of the industry either using alternatives to mulesing or breeding sheep to be resistant to flystrike should be our ultimate goal. To achieve this we need more investment from industry in research and development. In supporting this motion, I thank the many animal welfare and protection advocates who over decades have continued to press the industry and governments to improve the treatment of animals and without whom we no doubt would not have come as far as we have. But this is not over. We need to continue until mulesing is only carried out as a last resort and, if done, with pain relief. I thank my friend the Hon. Mark Pearson for bringing this issue of mulesing to our attention.

*[The Deputy-President (The Hon. Trevor Khan) left the chair at 1.00 p.m. The House resumed at 2.30 p.m.]*

## **BRUSSELS TERRORIST ATTACKS**

### **Ministerial Statement**

**The Hon. DUNCAN GAY** (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) [2.30 p.m.]: I wish to make a ministerial statement about yesterday's terrible and tragic events in Brussels. Based on the information we have available from the Belgium broadcaster VRT, we understand that the attacks at the Brussels airport killed at least 16 people, with 92 wounded. The metro operator has confirmed 20 people were killed and 106 were wounded at the site of the metro station attack. The Belgium Government has raised the terror alert to level four, which is its highest level, and it has activated its emergency plan in response to these attacks. At this stage we are not aware of any Australians who have been affected by the attacks. The Department of Foreign Affairs and Trade has upgraded travel advice for Belgium and is advising Australian travellers to reconsider their travel needs to Belgium at this time.

We condemn these despicable terror attacks. They are cowardly and hateful. Their intent is to make us fearful and they strike at the hearts of our freedom and theirs. Terror attacks are occurring all too often across the globe. There were terrible bombings in Ankara in recent days and attacks in Istanbul, Jakarta and the Ivory Coast. We are reminded of the need to be ever diligent but we should not let these attacks stop us from continuing our lives as normal. Our thoughts and sympathies are with the people of Belgium. Today the Belgium flag flies at the New South Wales Parliament as a mark of our respect and solidarity.

**The Hon. ADAM SEARLE** (Leader of the Opposition) [2.32 p.m.]: On behalf of the Labor Opposition, I support the statement made by the Leader of the Government. The Opposition extends its condolences to those affected by the tragic events in Brussels. At least 16 people were killed at the airport blast while we understand that 20 people died in the metro attack. That is at least 36 people dead and a couple of hundred seriously injured. Yesterday's violence, like all acts of terror, was perpetrated against innocent people going about their everyday lives. Those lost were waiting for a train or waiting to board a plane, with the anticipation and excitement this usually brings. Many were looking forward to their Easter holidays. No-one expected to be confronted with chaos, injury and death; and no-one deserved to have their lives interrupted by these violent and cowardly acts.

The French President said that these terrorists had struck Brussels but it was Europe that was targeted and all the world is concerned. Brussels is the headquarters of the European Union and the North Atlantic Treaty Organization, which is the key western military alliance. Yesterday's attack reminded us that terror is an evil that impacts on the lives of us all. ISIS, or Islamic State, as it is known, has claimed responsibility for these attacks just four days after the Brussels police captured the surviving prime suspect in the November Paris attacks, which killed 130 people. As the Leader of the Government indicated, while we mourn for those lost in Brussels, we should also remember those lost in terrorist attacks in recent months outside Western Europe.

I indicated on 19 November 2015 that we must ensure we do not fall into the trap of creating the perception that the West is only concerned with itself. Since the attacks in Paris there have been hundreds of terrorist attacks and many have gone unnoticed, such as those in Turkey. This year 79 lives have been lost in Istanbul and Ankara. Those who have lost their lives to terrorism in Turkey and elsewhere should be remembered with equal gravity, care and concern. We must respond with common purpose for the common good to these terrible events. We must honour the memory of those lost to such acts by neither forgetting our collective values nor our common humanity. We must recognise the impact of terrorism wherever it occurs and be resolute in our efforts to combat it wherever it seeks to take root.

**REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS**

**The Hon. DUNCAN GAY:** I advise members that during the absence today of the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism to attend a funeral I will answer questions relating to his portfolios.

**Pursuant to sessional orders business interrupted for questions.**

**Item of business set down as an order of the day for a future day.**

**QUESTIONS WITHOUT NOTICE****LEO MCCARTHY MEMORIAL PARK**

**The Hon. ADAM SEARLE:** My question is directed to the Minister for Roads, Maritime and Freight. Given Smithfield RSL Secretary Doug Clarke has now confirmed in writing that, "The RMS has damaged our fence and we are now out of pocket over \$700, we can see the survey stakes in the ground, we can see the spray-painted lines and we have the invoices to prove that our sub-branch bore the cost of undoing RMS's damage", does the Minister stand by his statement in this place on 17 March when he said, "Neither the Roads and Maritime Services or its contractors have carried out any work, surveying or otherwise, on Leo McCarthy Memorial Park in the last five years"?

**The Hon. DUNCAN GAY:** I indicate, as I previously advised the House, that neither Roads and Maritime Services nor its contractors have carried out any work, surveying or otherwise, on Leo McCarthy Memorial Park in the last five years. Two Opposition members have raised this matter. As a result, my staff has attempted to contact the Smithfield RSL Sub-Branch to obtain further information on the removal of the fence in question. I encourage the Smithfield RSL Sub-Branch to contact my office as soon as possible to see whether my staff can assist them in the resolution of this matter. We have been trying to contact them.

**The Hon. Walt Secord:** They are here in the public gallery. I have photographs of the work.

**The Hon. DUNCAN GAY:** That is fine.

**The PRESIDENT:** Order! I call the Hon. Walt Secord to order for the first time.

**The Hon. DUNCAN GAY:** One of my staff will speak to them at the conclusion of question time.

**The Hon. Walt Secord:** Good local member, Hugh McDermott. Well done, Hugh.

**The Hon. DUNCAN GAY:** We have been trying to resolve this issue. We are still not sure who is responsible. I have checked with staff in my department and they have indicated that they are not responsible. The last thing anyone wants is an RSL sub-branch to be out of pocket.

**EASTER ROAD SAFETY**

**The Hon. SCOTT FARLOW:** My question is addressed to the Minister for Roads, Maritime and Freight. Will the Minister update the House on roadwork and road safety during the Easter break?

**The Hon. DUNCAN GAY:** As we all know, Easter is one of the busiest periods for New South Wales roads as thousands of families are on holidays and travel across the State to visit family and friends. I know honourable members from this House will be doing the same as thousands of people across this country. I hope to get home to Crookwell for the first time in a few weeks to see my children and my granddaughters. Traffic may be heavier than normal, so motorists should plan ahead and allow extra travel time. While Roads and Maritime Services will suspend all major roadwork this Easter long weekend from Thursday 24 March until Tuesday 29 March to minimise delays, drivers should continue to observe road signs and slow down around work zones. Whilst work may not be being carried out, there will be changes to the width of the road in those areas.

More than \$1.4 billion worth of road projects have been delivered this financial year, with notable major projects completed on the Central Coast Highway at West Gosford, which opened in November, and the

Pacific Highway Tintenbar to Ewingsdale upgrade, which opened in December, to ease congestion and improve traffic flow in holiday traffic hotspots. Some places where there have been problems have been fixed, but it is always the case that when the traffic moves a bit more quickly the problems will move to new areas, which we will be working on. To further minimise delays during Easter, Roads and Maritime Services has put in place traffic commanders and additional resources across the State to keep traffic moving and to minimise delays. Up north, congestion is expected on the Pacific Highway at Macksville. We have changed traffic conditions to improve traffic flow through that area. Motorists travelling to and around Ballina will enjoy a much improved local road network since the recent opening of the northbound lane of the upgraded intersection of the Bruxner and Pacific highways.

**The Hon. Trevor Khan:** Thanks for that.

**The Hon. DUNCAN GAY:** It is a pleasure. That intersection is part of the 2.3 kilometre Pimlico to Teven Pacific Highway upgrade.

**The Hon. Walt Secord:** Where was he on the first question?

**The Hon. DUNCAN GAY:** I was on board on the first question, not playing politics.

**The PRESIDENT:** Order!

**The Hon. DUNCAN GAY:** Down south, there will be no traffic control on the Foxground and Berry bypass project during the break, to improve traffic on this stretch of the road. Drivers cannot become complacent about road safety during the upcoming holiday break. To help save lives, the New South Wales Government has Operation Tortoise running this Easter break—a statewide, high-visibility enforcement operation running from 24 to 28 March inclusive.

The operation is funded through the Community Road Safety Fund in partnership with the NSW Police Force. The police will target speeding, drink and drug driving, seatbelt and mobile phone offences. Double demerit points will run in conjunction with Operation Tortoise. Double demerit points will apply to all speeding, seatbelt, motorcycle helmet and mobile phone offences. That is a warning: Stay off the mobile phone, as well as the grog and drugs—although I know that no-one in this Chamber would be on recreational drugs. With showers forecast for Easter in many parts of New South Wales, drivers should remember that they need to adjust their speed and drive to the conditions if the roads are wet.

**The PRESIDENT:** I welcome to the public gallery the Smithfield RSL Sub-Branch members who are present as guests of the member for Prospect. I welcome students from the University of Technology Sydney, who are studying citizenship and communication. Finally, I welcome students who are members of the University of Sydney Liberal Club.

**The Hon. Walt Secord:** There is still time to change.

**The PRESIDENT:** The Chair is supposed to be independent and impartial. I will try to overlook the fact that I am a life member of the University of Sydney Liberal Club, I should warn members of the Opposition. I hope guests in the gallery enjoy their visit to Parliament House today.

### **SYD EINFELD DRIVE FLOODING**

**The Hon. WALT SECORD:** My question without notice is directed to the Minister for Roads, Maritime and Freight. Does the Minister stand by claims by Roads and Maritime Services that the repeated massive flooding on Syd Einfeld Drive at Bondi Junction was due to autumn leaf litter? What steps has the Minister taken to fix this major road safety hazard, given this matter has been raised in this Chamber on three separate occasions in the past year?

**The Hon. DUNCAN GAY:** Yes; in part the problems on Syd Einfeld Drive come from leaves blocking the drains.

**The PRESIDENT:** Order! I call the Hon. Daniel Mookhey to order for the first time.

**The Hon. Duncan Gay:** As I indicated on 15 March, when I gave a detailed answer—

**The Hon. Walt Secord:** It is on the front page here, headed, "Water joke".

**The PRESIDENT:** Order! I call the Hon. Walt Secord to order for the second time.

**The Hon. DUNCAN GAY:** I have to tell the House that the Hon. Walt Secord does not need a prop to tell people what a joke he is. I gave a detailed answer on 15 March about Syd Einfeld Drive and the Roads and Maritime Services maintenance activities. The Chief Executive of Roads and Maritime Services has recently updated me further on the proposed works scheduled for April. Investigations have identified leaf litter as one of the contributing factors to the blockages. Tree roots and concrete in pipes further along the drainage system has been identified as contributing to the blockages. Community consultation has been carried out and work to remove tree roots and concrete will start next month, and is expected to be completed in June.

Regular tree trimming will continue in the area, with particular attention to the trees near the Syd Einfeld connected drains. I am advised that capital maintenance options to further reduce the incidence of flood-related closures are being explored. I expect to receive a brief on further options to address this important issue during April. Part of the problem with the drains that come out of Syd Einfeld Drive is not so much with the first level of drains that come off what is, in many parts, a raised motorway. The problem occurs where those drains go into other drains. The backlog occurs when there is congestion in the other drains. Whilst we have cleaned out—

**The Hon. Daniel Mookhey:** The system is rooted.

**The Hon. DUNCAN GAY:** The Opposition asked the question. Do Opposition members want an answer or not? They can ask all the questions they like, and feel good about that, but they do not like the answers.

**The Hon. Shaoquett Moselmane:** Point of order: The Minister knows that responding to interjections is disorderly. He should not respond to interjections.

**The PRESIDENT:** Order! There is no point of order.

**The Hon. DUNCAN GAY:** I have made a genuine attempt to give more information to people who appear to be asking for information.

**The Hon. Walt Secord:** We are.

**The Hon. DUNCAN GAY:** Some should be excluded. The problem appears to lie beyond the immediate drain. I indicated that we have cleaned out the drains off Syd Einfeld Drive. Having done that, we expected there not to be a problem. No-one was more surprised than we were when there was a repeat of this problem after we had put that proper maintenance in place. The deduction, of the people who have investigated the problem, is, as I said earlier, that the water goes clear out of the first set of drains but the problems occur when the water hits the other drains that it flows into. That is where the block-ups and the flow-back is happening. It is a little bit like traffic going into the airport— [*Time expired.*]

#### DOLPHIN MARINE MAGIC

**Dr MEHREEN FARUQI:** Mr President—

**The Hon. Trevor Khan:** Be nice.

**Dr MEHREEN FARUQI:** Happy Easter, Trevor. Is that nice enough?

**The Hon. Trevor Khan:** I do not celebrate that one.

**Dr MEHREEN FARUQI:** My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. Given the requirement for Dolphin Marine Magic to provide a post-mortem of diseased animals to the Department of Primary Industries under the Exhibited Animals Protection Act 1986, what was the cause of death of dolphin calf Ji-Ling in October 2015?

**The Hon. NIALL BLAIR:** I thank Dr Mehreen Faruqi for her question. I am sure members would join me in acknowledging the sad passing of the young dolphin at Dolphin Marine Magic. The dolphin died at Dolphin Marine Magic on 7 October 2015. The dolphin was closely monitored by expert veterinary professionals. Dolphin Marine Magic has provided the results of the post-mortem examination to the department. These results indicate that the dolphin died due to complications from a condition for which it was receiving veterinary treatment. Dolphin Marine Magic has informed the department of concerns that ingestion of leaves falling into the dolphin pool may have contributed to the dolphin's condition and is taking measures to eliminate that risk. The death of the dolphin is regrettable. I trust I have given the information the member was after.

#### **HAWKESBURY AGRICULTURAL COLLEGE 125TH ANNIVERSARY**

**The Hon. RICK COLLESS:** My question is addressed to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister update the House on the 125th anniversary of Hawkesbury Agricultural College?

**The Hon. Duncan Gay:** The Hon. Rick Colless was there in its first year, was he not?

**The Hon. NIALL BLAIR:** I thank the Parliamentary Secretary for his question—and no, the Hon. Rick Colless was not a foundation student. I acknowledge 2016 marks the 125th anniversary of Hawkesbury Agricultural College, now part of the University of Western Sydney. Hawkesbury Agricultural College was the first agricultural college in New South Wales and since its establishment in 1891 has played a vital role in the State's agricultural and horticultural industries. This becomes clearly evident to me as I go around the State and can point a finger at a number of people—key people—right across the entire spectrum of the agricultural sector as being past students. It began on 16 March 1891 when the Hon. Sydney Smith, Secretary for Mines and Minister for Agriculture, officially opened the college, turning the first sod on the farm while walking behind a horse and plough. Mr Smith addressed the 26 students of the day, telling them:

The objectives of this institution are to provide young men with the fundamentals of science, farming skills and business principles to better equip them for productive life on the land in Australian conditions.

Decades later it remains just as important to educate the likes of our young agronomists, horticulturists and vets to build for the very bright future of our primary industries sector.

**The Hon. Paul Green:** And nurses.

**The Hon. NIALL BLAIR:** And nurses. As many honourable members in this place know, I am an old boy of Hawkesbury ag college, along with the Hon. Rick Colless, the Hon. Paul Green and the member for Parramatta in the other place. I could spend a long time talking about the antics and memories from my time completing my horticulture degree. However, as much fun as it would be looking back, the 125th anniversary is also an opportunity to look forward. While agriculture has taken a bit of a backseat in recent years for the University of Western Sydney, it is pleasing to see a rejuvenated approach to agriculture. For instance, students can now study for a Bachelor of Sustainable Agriculture and Food Security with an emphasis on the interconnections between food security and agriculture, social stability, health, plants and animals and, of course, the environment.

Another exciting development will be the development of the new \$35 million Hurlstone Agricultural High School, representing another important development for agricultural education in New South Wales. In 2020 the school, which is currently located at Glenfield, will move to a purpose-built, state-of-the-art facility at the Hawkesbury campus. The new Hurlstone Agricultural High School will be an academically selective agriculture and STEM—science, technology, engineering and mathematics—school for 1,500 students. Students at the new Hurlstone Agricultural High School will have access to world-class science, agriculture and technology facilities including extensive farming land, as well as learning spaces designed using the findings of the Department of Education's Future Learning Unit.

This Government has a goal of increasing our primary industries sector by 30 per cent by 2020 as part of our Agriculture Industry Action Plan. The Hawkesbury campus and other tertiary institutions like Charles Sturt University and the University of Sydney have a pivotal role to play in helping our primary industries sector to capitalise on the opportunities in front of it. All this points to a very positive future for the

Hawkesbury campus, a campus that many of us continue to hold very dear. In the meantime, I would like to give a big shout out to all the students, past and present, as they continue to keep the Hawkesbury spirit alive. They do not need me to tell them to "use well the present moments as they fly".

### VOCATIONAL EDUCATION AND TRAINING

**The Hon. PAUL GREEN:** My question without notice is directed to the Minister for Primary Industries, representing the Minister for Education. Given the Government has not yet responded to the recommendations of the General Purpose Standing Committee No. 6 inquiry into vocational and education training in New South Wales, and given an article in the *Sydney Morning Herald* dated 31 August 2015 that suggested that the money spent on the Education Based Services/Student Administration and Learning Management [EBS/SALM] system could have been used to build up to 20 new schools, can the Minister inform the House: to date, how much has been spent on the rollout of this system; how many valuable teaching hours continue to be lost because of this lame system; and when will the Minister go back to the drawing board and abolish this dog's breakfast of an information technology system?

**The Hon. NIALL BLAIR:** I thank the Hon. Paul Green for his question. The question comprises a number of parts and requires a detailed answer. The question could have contained a hint of an argument towards the end. I will take the question on notice on behalf of the Minister for Education for a detailed answer that I will bring to the House.

### MCKANES FALLS BRIDGE

**The Hon. SOPHIE COTSIS:** My question is directed to Minister for Roads, Maritime and Freight. Given the Minister's 8 May 2013 commitment to provide detailed designs for the upgrade of the McKanes Falls Bridge over the Cox's River near Lithgow by late 2014, what survey and design work for the upgrade has been completed and what is the construction timetable for this bridge?

**The Hon. DUNCAN GAY:** I thank the member for her good question. I am a very busy Minister for Roads, Maritime and Freight, with 4,600 projects currently under way across this State.

**The Hon. Walt Secord:** But not that one.

**The Hon. DUNCAN GAY:** I suggest the Hon. Walt Secord keeps calm as he is already on two calls to order. I would expect a little more restraint from him as Deputy Leader of the Opposition in the Legislative Council. Given the detail of the question, I am more than happy to take it on notice and come back with a proper answer.

**The PRESIDENT:** Order! I remind the Hon. Walt Secord that he is on two calls to order.

### SYDNEY MOTORWAY NETWORK

**The Hon. LOU AMATO:** My question is directed to Minister for Roads, Maritime and Freight. Could the Minister update the House on the progress of improving Sydney's motorways and other matters of State significance?

**The Hon. DUNCAN GAY:** I am always excited about addressing matters of State significance. I thank the honourable member for his question. I am pleased to report that work is progressing well—in fact, very well—on much-needed improvements to Sydney's motorway network, something this Government is fixing after years of Labor ignoring the problem when it had ample opportunity to do something about it. As members know, WestConnex is one project Sydneysiders, particularly those in Western Sydney, have been crying out for. I am sure it is a great relief to them to see us getting on with the job of building this crucial piece of infrastructure. Motorists driving along the section of the M4 being widened between Parramatta and Homebush would be heartened to see all the work happening there at the moment.

Cintra Park in Concord is also a hive of activity. Preparation work has begun for mid-year tunnelling of the twin M4 East tunnels linking Homebush and Haberfield—that is the M4 for those opposite who do not know where the M5 is. While motorists who are stuck in carpark traffic along the M4 and M5 are desperate for WestConnex to be built, I was interested—but not overly surprised—to see the City of Sydney, led by Lord Mayor Clover Moore, hell-bent on wasting taxpayers' money fighting a project that everyone else wants. Frankly, it is a battle they will lose—and they know it. But that has not stopped them constantly dipping into ratepayers' pockets to fund this ridiculous campaign. I was astonished by the amount of money wasted. Since 2014 the City of Sydney

council has spent more than \$350,000 on its anti-WestConnex campaign. That is ratepayers' money—and that council wants to be fit for the future. That is even more than the Lord Mayor's lavish overseas international travel budget. That money could have been spent on improving local services but the council chose a different path.

**The PRESIDENT:** Order! There is far too much audible conversation on both sides of the Chamber.

**The Hon. DUNCAN GAY:** The cash splash included several payments for consultants and pouring money into community action groups outside the council area. The council even tipped in \$800 for a WestConnex action group picnic day. What a great use of City of Sydney ratepayers' money—not. Perhaps the City of Sydney could look beyond its own cloistered world and ask the motorists stuck on the M4 and M5 during peak hours just how those hundreds of thousands of dollars could have been better spent. I am sure they would receive a terrific answer. This is Clover Moore's political agenda, not the agenda of her ratepayers—many of whom will benefit from WestConnex.

### **POLICE OPERATION PARABLE INVESTIGATIONS**

**Mr DAVID SHOEBRIDGE:** My question without notice is directed to the Leader of the Government, representing the Minister for Police. My question concerns the reported gay bashing in 1989 that was witnessed by Mr Paul Simes. Mr Simes reported the assault to police and was then brought by senior police to College Street police headquarters, where he was told that the registration of the assailant's car he reported was an unmarked police car. It appears that the NSW Police Force kept no record of that meeting or that the record was lost or destroyed. Will the Minister inform the House what the Government is doing to ensure that the matter is investigated comprehensively and completely and that any historical failures by New South Wales police are brought to light?

**The Hon. DUNCAN GAY:** I thank the honourable member for this serious question. The Ombudsman provides an oversight role of the NSW Police Force and, as honourable members know, has the power to direct an investigation to be undertaken in relation to particular incidents. This matter was raised with the Ombudsman by the member for Sydney on behalf of Mr Alan Rosendale. Based upon the available evidence, the Ombudsman has not directed that an investigation be undertaken. The response from the NSW Ombudsman indicates that Mr Rosendale was assaulted by a number of men in South Dowling Street on 6 May 1989, which was reported to police at the time. Mr Rosendale was unable to provide a description of his assailants.

In an August 2013 a statement Mr Paul Simes indicated that he reported the incident in a call to 000. Police records indicate that the call to 000 was made by a different individual. In August 2013 Operation Parable was established to undertake an assessment of 80 alleged gay hate crimes, including this incident. The lines of inquiry undertaken by Operation Parable did not identify any evidence that could be used and could not confirm that the assault on Mr Rosendale and the assault referred to in a statement by Mr Paul Simes is the same incident. Mr Simes has been unable to identify the date on which the assault he witnessed occurred. On this basis, the investigation of the incident was suspended.

In regard to locating records relating to the incident, Operation Parable investigators made a number of inquiries. The inquiries were made both within the NSW Police Force and with organisations and individuals external to the NSW Police Force who it is expected would have made some records regarding the incident. No additional records could be located from within the NSW Police Force or external to the NSW Police Force. The August 2013 statement from Mr Simes also refers to communications between him and a New South Wales police gay liaison officer and a meeting with a number of police officers around the time of the assault.

The Ombudsman notes that the New South Wales police gay liaison officer is now deceased and, without additional information from Mr Simes about the identity of the other police officers at the meeting that occurred more than 20 years ago, it is not possible to identify them in order to obtain any records from them. In relation to the destruction of documents, the Ombudsman has concluded that there is no satisfactory evidence to demonstrate or suggest that police have removed documents from the New South Wales police file about the assault on Mr Rosendale.

### **TESTERS HOLLOW FLOODING**

**The Hon. COURTNEY HOUSSOS:** My question is directed to the Minister for Roads, Maritime and Freight. Given renewed community calls to fix the main road at Testers Hollow after the road was flooded for the second time in the past year and a petition to raise the road signed by more than 4,000 locals, will the Minister tell the House what steps the Government has taken to fix this dangerous road?

**The Hon. DUNCAN GAY:** I thank the honourable member for her question on the road at Testers Hollow. It is an important question and an issue of concern to many people in the Maitland and Upper Hunter area. In the floods last April the road in Testers Hollow was cut off, as it was again during the recent floods. We have been looking at it. Together with the previous and current Federal governments, we have spent a large amount of money on improvements to a road in the area—namely, the Newcastle Expressway. The expressway provides a major link into the area. Tragically, lives were lost during the floods last year. So it is an issue that the Government is looking at carefully. It is a State road and its maintenance is funded by the New South Wales Government. The road is maintained under contract by the Maitland and Cessnock city councils. Heavy rainfall can cause flash flooding in the road network, including at Testers Hollow. In March 2013, April 2015 and most recently in January 2016 it was closed to traffic.

**The Hon. Shaoquett Moselmane:** Three times.

**The Hon. DUNCAN GAY:** "Three times", the member says.

**The PRESIDENT:** Order! I call the Hon. Shaoquett Moselmane to order for the first time.

**The Hon. DUNCAN GAY:** When you maintain roads across the State, in any given flood event there will be roads that are closed. We do not want them closed. But it was three times in three years. It is all right for those opposite to be passing social commentary from the luxury of the inner city, but people in regional areas live in the real world and we are trying to catch up on 16 years of neglect by the previous Labor Government. Those opposite should keep their comments to themselves. The people in regional New South Wales do not appreciate them. Roads and Maritime Services has carried out investigations for proposed options to prevent future flooding at Testers Hollow. In December 2013 investigations were conducted to determine the suitability and feasibility of potential upgrade options for Cessnock Road.

The investigation showed that any solution to provide a flood-free route through Testers Hollow is complex, requiring both flood mitigation and road-related measures. It is not as simple as it seems. Roads and Maritime Services is continuing to work with Maitland and Cessnock councils and other State agencies to develop a long-term approach to managing flooding issues at Testers Hollow. Any improvements will need to be carried out as part of a coordinated approach to managing the flood plain and the land use, with the support and coordination of the Department of Planning and Environment, the Office of Environment and Heritage, and the emergency services, including the State Emergency Service. Roads and Maritime Services has contacted the Department of Planning and Environment to determine what funding has been collected through developer contributions for the potential future upgrade of Cessnock Road. [*Time expired.*]

**The Hon. COURTNEY HOUSSOS:** I ask a supplementary question. Will the Minister for Roads, Maritime and Freight elucidate his answer by providing a specific timetable for the announcement of a preferred option for upgrading the main road at Testers Hollow?

**The Hon. DUNCAN GAY:** As I indicated, Roads and Maritime Services has contacted the Department of Planning and Environment to determine what funding has been collected through developer contributions for potential future upgrades of Cessnock Road. Future upgrades depend on the outcome of those answers.

## COMMERCIAL FISHING INDUSTRY

**The Hon. DAVID CLARKE:** My question is addressed to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister update the House on the steps that the New South Wales Government is taking to secure the future of the State's commercial fishing industry?

**The Hon. NIALL BLAIR:** New South Wales has some of the world's best seafood, and was it not fantastic that our hardworking commercial fishers were seen enjoying a night of fun and gourmet food last night on television? I take my hat off to Channel 7's popular cooking show *My Kitchen Rules* and its engagement with the men and women who are the backbone of our commercial fishing industry. Congratulations also to the Professional Fishermen's Association for its role in coordinating that event. The New South Wales fishing industry is at the heart of many coastal communities, harvesting the seafood that generates an estimated

\$80 million per annum at the first point of sale. The success of the sector means jobs for commercial fishers and a range of supporting services, such as fishing cooperatives, transport companies, wholesalers and retailers. The industry has, however, been struggling for years with inefficient controls and limited ability for fishers to grow their businesses with any type of certainty.

Under the previous Labor Government, in the early 2000s commercial fishers lost access to 30 significant areas along the coast through estuary closures, many of which were based on politics not science. In the past 20 years the number of commercial fishing licences issued in New South Wales has fallen from 1,859 in 1996-97 to about 1,200 currently. The Government is committed to doing something about it to give more certainty to fishers, greater viability for the industry overall and long-term sustainable fisheries. It is important also that the industry can continue to provide the people of New South Wales with locally caught, fresh seafood. This Government is acting to keep this industry doing what it does best and to ensure the hardworking people in it have a profitable and viable future.

An independent Structural Adjustment Review Committee [SARC] was appointed to oversee an adjustment process and make recommendations on linking shares to some form of catch or effort and associated restructuring issues. Following a comprehensive industry and public consultation process, the SARC made its final recommendations to the Government in late 2015. Since then, I have travelled the length of the coastline, from Ballina to Bega, to talk to many of our fishers before any final decision is made. We know that commercial fishing has a strong future but change and support for change is needed. Support for this adjustment program will be needed. The New South Wales Government will have something to announce on that and the details of the changes shortly.

I am confident that the implementation of improved share linkages, combined with a range of assistance measures, will ensure that the New South Wales commercial fishing industry is economically viable and environmentally sustainable into the future. This is probably a good time for the Hon. Mark Pearson to leave the Chamber. As we are just days away from Good Friday—traditionally a time when large numbers of people eat fish—I urge all my colleagues in the House and the seafood lovers of New South Wales to buy local this Easter. Choosing to dine on New South Wales seafood not only supports local fishers and their jobs, but also is the best way to guarantee that your Easter meal is fresh and of excellent quality. I reiterate that as we head towards Good Friday. We have some fantastic commercial fishers in New South Wales and, whether it is a wild catch product or aquaculture or farmed product, we should encourage everyone in New South Wales to eat local seafood—maybe a bit of seagrass or some kale for my friend. New South Wales' product is number one so please choose it this Friday.

#### **SYDNEY CENTRAL BUSINESS DISTRICT LOCKOUT LAWS**

**Reverend the Hon. FRED NILE:** My question without notice is directed to the Minister for Roads, Maritime and Freight, representing the Premier. Is it a fact that the measures introduced by former Premier Barry O'Farrell—such as reduced trading hours, 3.00 a.m. last drinks, lockouts at 1.00 a.m., restrictions on bottle shops and the sale of high-alcohol drinks—have resulted in a 32 per cent decrease in assaults? Will the Government maintain these successful measures and support the New South Wales Police Association Last Drinks Coalition campaign to further reduce alcohol-fuelled violence in New South Wales?

**The Hon. DUNCAN GAY:** I thank Reverend the Hon. Fred Nile for his question, and the short answers are yes, and absolutely. It is obvious that the measures have worked. Anyone who tries to tell you that they have not is talking rubbish. What about this idea that suddenly the swill was going to spill into Surry Hills and Redfern? When I am in Sydney to attend Parliament I live in Redfern, and I can tell the House that the swill is not there.

**Mr Jeremy Buckingham:** Yes, it is as dead as anywhere else.

**The Hon. DUNCAN GAY:** It is as well behaved as anywhere else. Mr Jeremy Buckingham's night-time activity has been noticed as being different from that of most of us in the House. The approach has worked; it is a sensible approach. The health professionals at St Vincent's Hospital say how much better it is in their emergency room. It is incredible. They should not have to deal all night with drunk people and people who have been bashed. It is so much better than it was. The changes that the Government put in place were not easy. It was not without pain. Yes, we will continue with them and, yes, they have worked. That does not mean the Government will not consider the changes to see whether there are nuances around the edges and improvements to be made. That is exactly what the Premier and Deputy Premier are doing currently by engaging in community consultation.

### ANZAC PARADE OBELISK

**The Hon. LYNDA VOLTZ:** My question is directed to the Minister for Roads, Maritime and Freight. In light of his recent answer regarding a 12 October 2015 stakeholder meeting about the placement of the Anzac Parade Obelisk, will the Minister confirm that stakeholders were given only one option as a location for the obelisk?

**The Hon. DUNCAN GAY:** I do remember indicating that stakeholders were consulted. I am unaware whether they were given one or more options. I will check with the department and come back with an answer.

**The Hon. LYNDA VOLTZ:** I ask a supplementary question. Will the Minister elucidate his answer in regard to the "one or more options" and whether it was at the Randwick Racecourse end of Anzac Parade or the city end?

**The PRESIDENT:** Order! The supplementary question is out of order.

### BRIDGES FOR THE BUSH

**Mr SCOT MacDONALD:** My question is addressed to the Minister for Roads, Maritime and Freight. Will the Minister please update the House on the upgrade and repair of bridges across regional New South Wales?

**The Hon. DUNCAN GAY:** I thank the honourable member. I know of his concern for the general maintenance of bridges in regional New South Wales. Since 2011 historic levels of funding for road and freight projects have been flowing to regional New South Wales to replace and upgrade dilapidated and weight-limited timber, steel and concrete bridges. Innovative funding programs such as Bridges for the Bush and Fixing Country Roads are stopping the rot that manifested when those opposite were in government. Since 2012 the Government has committed more than \$250 million under Bridges for the Bush for projects such as the replacement of Kapooka Bridge and its approaches on the Olympic Highway near Wagga and a new bridge over the Namoi River at Tulladunna near Wee Waa.

**The Hon. Sarah Mitchell:** Not the Naomi.

**The Hon. DUNCAN GAY:** Not the Naomi, no. Under this program key bridges—some of them heritage listed—have already been upgraded or replaced, including James Park near Crookwell, Gooloogong, Carrathool, Broads Crossing, Boorowa, Bundurra, Temora and Gundagai. In relation to McKanes Falls Bridge over the Coxs River near Lithgow, about which I was asked earlier, detailed concept designs have been completed and a section 60 heritage application has now been submitted by Roads and Maritime Services [RMS] to alter this heritage-listed timber truss bridge in the course of its upgrade.

**The Hon. Sarah Mitchell:** Thanks, Duncan.

**The Hon. DUNCAN GAY:** It is a pleasure. Since 2013 the Government has invested more than \$100 million of State funding under Fixing Country Roads, to help councils fix their local roads and bridges. Under the first funding round of this program, 77 council projects are now well underway. Indeed, two-thirds of those projects will be completed this year. Importantly, we have worked closely with our Federal colleagues to align these funding initiatives to similar Commonwealth programs, notably the Bridges Renewal Programme and the Heavy Vehicle Safety and Productivity Programme. If the State Government is putting money into a region and the Federal Government is doing the same, it is innovative and sensible to bring the rules into conformity so that governments can work together. The effect of this collaboration was that the first round of Fixing Country Roads was leveraged from \$43 million to more than \$100 million when one added local government, community and Federal funding to the total value of projects. That is how good government works.

Round two of Fixing Country Roads is being finalised, with \$50 million in funding to be delivered to regional councils in June. Again, we are working with our Federal colleagues to value add to this second tranche of funding. We are just getting warmed up. Under our Rebuilding NSW infrastructure plan, Bridges for the Bush will be expanded by another \$200 million and Fixing Country Roads will grow to a total of half a million dollars. Those opposite could not and would not fund this infrastructure because they would not go down the road of leasing assets. The Liberal-Nationals took that to the people and won government. To put these numbers in perspective, New South Wales Country Labor provided a paltry \$60 million over five years to councils—just pathetic. [*Time expired.*]

## ILLEGAL HUNTING

**The Hon. MARK PEARSON:** My question is directed to the Minister for Roads, Maritime and Freight, representing the Hon. Troy Grant, Deputy Premier, and Minister for Justice and Police. Given the alarming media reports of confrontations between landholders and illegal hunters and the identification of illegal hunting trespass as being of concern to 58 per cent of farmers by Dr Elaine Barclay, Associate Professor in Criminology at the University of New England, will the Minister confirm that the Stock Theft and Trespass Review will investigate the rising incidence of illegal hunting trespass on rural lands? If so, is there a term of reference that specifically addresses the issue of illegal hunting trespass, and how is the review being promoted to the wider community?

**The Hon. DUNCAN GAY:** I thank the honourable member for his question. It was probably a question better put to my colleague the Minister for Primary Industries, because the Department of Primary Industries Game Licensing Unit is hard at work targeting illegal hunters across the State. There is not an illegal hunter in the State that Niall's army is not chasing at this moment. It is interesting to note that in this Parliament recently the Shooters and Fishers Party—soon to be the Shooters, Fishers and Farmers Party, but they will not look after the farmers as well as The Nationals—indicated that they find illegal shooting on private property, namely farms, totally abhorrent. I do not think anyone in this place would disagree with that.

People in the gallery and members of the House have farms. One of the worst things you can find when working in rural industries is people operating illegally on your property. Even worse is to have people shooting illegally on your property—especially if they are shooting with rifles. Shotguns have a short trajectory but bullets from rifles can carry a couple of kilometres or more. Some years ago on my home farm a bullet lodged in the fibro on the edge of the shearers' quarters. We had no idea where the bullet came from but it was a scary thing to happen.

I am told that a robust regulatory system that allows legal, licensed hunters to access declared public lands acts as a deterrent to those who operate illegally and who are determined to flout the law. In fact, legal, licensed hunters are a regular and reliable source of information on illegal hunters. They hate them as much as we do, and they contribute to compliance and enforcement within their peer networks. The community also has an important role to play in detecting and deterring illegal hunting. It is now an easy matter for members of the public to report illegal hunting incidents.

The game licensing unit has partnered with the NSW Police Force to shut the gate on illegal hunting as part of the larger shut the gate on rural crime campaign, as asked about in the member's question. A dedicated illegal hunting report line 1800 SHUT IT is now available to report illegal hunting directly to game licensing compliance officers. Illegal hunting report forms, business cards and magnets have also been processed to assist members of the public to report illegal hunting activity and ensure the right information is collected. Investigations rely on the timely and accurate reporting of illegal hunting. Details that assist in investigations include the date, time and place; details about the alleged offender; vehicle type and registration; and the type of alleged illegal activity.

**Mr David Shoebridge:** And a willingness to prosecute.

**The Hon. DUNCAN GAY:** I hear what the member is saying. It is a timely reminder of some of his comments on drug-related crimes. The New South Wales Government is committed to detecting and deterring illegal hunting in this State. The community now has more information. What I have not answered in his question I will certainly take on notice and refer to the police Minister for a comprehensive response.

## AVOCA LAGOON ALGAL OUTBREAK

**The Hon. GREG DONNELLY:** My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. What steps has the Government taken to determine the source of a major red algal outbreak at Avoca lagoon and what is the Government's response to the community concerns about that outbreak?

**The Hon. NIALL BLAIR:** As the Hon. Greg Donnelly and other members are aware, I gave an update about blue-green algal outbreaks on the Murray River last week in question time. From memory, the question from the member was: What was the source of the outbreak? We know that weather conditions and a lack of water movement are usually the conditions that enable these algal blooms to occur. It not only has a severe

impact on water quality in those areas but also has social and at times economic impacts because of the utilisation of those lagoons, rivers or enclosed waters by members of the community. I am not aware of the exact cause or situations relating to Avoca lagoon but I am more than happy to take the question on notice and obtain further information. As I said, without trying to hazard a guess, I imagine the types of weather conditions we have been having across the State and obviously localised conditions with the lack of water movement have probably led to this. I will take the question on notice, refer it to my department and come back to the member with a detailed answer.

### **DEPARTMENT OF PRIMARY INDUSTRIES INNOVATION**

**The Hon. TREVOR KHAN:** My question is addressed to the Minister for Primary Industries, and Minister for Lands and Water. Will he update the House on how New South Wales is leading the nation in innovation right across the \$12 billion primary industries sector?

**The Hon. NIALL BLAIR:** Last night I was pleased to be able to attend a stakeholder event held by the Department of Primary Industries [DPI] at the Royal Easter Show to acknowledge the successes of DPI and excellent innovation stories. These achievements highlight not only the great work by DPI but also the collaboration and partnerships developed with stakeholders and industry to deliver innovative tools and programs to continue to grow our \$12 billion primary industries sector. At the event I was fortunate to catch up with key stakeholders and industry representatives including the NSW Farmers Association, members of my Ministerial Advisory Council on Primary Industries, Surf Life Saving NSW, Local Land Services and the Royal Agricultural Society.

Strong and productive partnerships are the cornerstone of the strength of our primary industries sector and help keep our rural communities strong. The DPI's participation in the development of the innovative tool RamSelect is a prime example of this. Years of research and work have developed this product which enables sheep producers to increase their productivity by selecting the best rams for their flock. RamSelect searches rams listed for sale and uses the Australian Sheep Breeding Values to calculate and rank the rams that best align with the producer's breeding objectives, including higher weaning percentage, growth rate or greater parasite resistance. This is all available in an app developed by DPI—it is like Tinder but for rams. This innovative tool was developed through a partnership between DPI, the Sheep CRC, Telstra and Sheep Genetics and is just another example of government and industry working together to increase the economic growth and productivity of the primary industry sector.

The BeefSpecs producer pilot workshops are another success story for our primary industries. These successful workshops have introduced cattle producers to new, innovative tools including the BeefSpecs fat calculator and drafting tool and instructional videos to improve their on-farm processes and decision making. These tools help producers to better meet their market specifications and therefore improve their profitability. Workshops like these allow DPI to work directly with our producers to deliver on the New South Wales Government's commitment to grow the value of the primary industries sector by 30 per cent by 2020.

From growing industries to preserving resources, primary industries stakeholders work together from paddock to plate. Promoting sustainable use and access to natural resources is an important concept to understand, even from an early age. For example, DPI works with schools across the State through the Get Hooked schools fishing program, which over two months last year held workshops for 1,000 students. The schools program has been very successful in ensuring that kids learn about the importance of sustaining our valuable fisheries resources by following New South Wales recreational fishing rules and regulations.

These are just some of the examples of innovation and successes across our primary industries sector. There are so many more great stories and I have enjoyed learning about each one of these. The Government remains committed to the State's primary industries sector and to maintaining a foundation for thriving rural and regional communities across New South Wales. I truly commend the staff of DPI and Local Land Services for their hard work and dedication in ensuring the growth of this industry and thinking outside the square to help our local producers and farmers.

**The Hon. DUNCAN GAY:** If members have any further questions, I suggest that they place them on notice.

### **ANZAC PARADE OBELISK**

**The Hon. DUNCAN GAY:** Earlier in question time I was asked a question by the Hon. Lynda Voltz regarding the Anzac Parade obelisk who indicated that only one option was up, although I note there was an

attempted question that mentioned there might have been more than one option. I am advised that not one or two but nine options were considered and assessed in an agency workshop on 12 October 2015 involving the City of Sydney, Roads and Maritime Services [RMS], the RSL, heritage consultants and Centennial Parklands representatives. In fact, the subject of the meeting was "Anzac Parade obelisk relocation options review." I draw attention to the fact that we were dealing with a number of options. Godden Mackay Logan gave a presentation on the options analysis for the nine options. The Hon. Lynda Voltz, who has only just been promoted to the front bench, has a bit of homework to do. She needs to work out the difference between the F5 and the M5 and she also needs to establish the difference between one and nine.

**Questions without notice concluded.**

**CHARLES BARDEN AND LUCY SMITH RETIREMENT**

**The PRESIDENT:** I remind members that today is the last sitting day for Mr Charles Barden and Mrs Lucy Smith. As per my previous invitation I encourage all members to join me in farewelling them in the President's dining room this afternoon at the commencement of the adjournment debate.

**WOOL GROWING INDUSTRY AND MULESING**

**Debate resumed from an earlier hour.**

**Mr DAVID SHOEBRIDGE** [3.39 p.m.]: It is with pleasure that I speak in support of the motion moved by the Hon. Mark Pearson. I have seen mulesing in practice on two separate occasions.

**The Hon. Niall Blair:** When you were at James Ruse?

**Mr DAVID SHOEBRIDGE:** Yes, when I was at James Ruse. On both occasions it was deeply confronting—the sheep were clearly in distress and there was a significant amount of blood. I remember distinctly how distressed the sheep were and also the students who were watching. It was a genuinely distressing experience. During the course of our agriculture studies it was explained that mulesing is an essential and necessary practice when raising sheep in Australia.

**The Hon. Niall Blair:** Out of curiosity, when was that?

**Mr DAVID SHOEBRIDGE:** It was in the mid-1980s. If mulesing is not carried out, sheep die a slow, appalling and horrific death from flystrike. I do not recall seeing sheep dying from flystrike but I have seen a number of images and I have spoken to many people who have seen it. There is no doubt that sheep suffer a brutal, painful and lingering death from flystrike. If the House had not dealt with this debate intelligently, it may have deteriorated into an argument that mulesing is bad, but flystrike is worse. In fact, it has been a privilege to listen to the debate. The Greens are happy to support the initial amendment moved by the Hon. Mark Pearson and also the Government's amendment. We are engaging with the industry in a sophisticated manner that supports the motion before the House. I note that a representative of the Australian Wool Growers Association is in the public gallery. We all want the wool industry to survive and thrive. For 2¼ centuries it has played a key role in the New South Wales economy.

It does not play the same role that it played two centuries ago, which is probably a good thing because it was a dominating industry that had close links to government. However, the ongoing strength of the wool industry is important, particularly for regional and rural Australia. It is also important if we are to produce a high quality natural fabric without relying on petrochemicals. The wool industry is supporting this motion to move away from mulesing because it has realised that it must find a distinct niche for itself if wool is to flourish in a more diverse international market for fabric. It must supply a high quality natural product that is produced in accordance with the highest ethical and humane standards. A secure future for the Australian wool industry means doing away with mulesing in its entirety. The opening line of the motion states:

- (1) That this House commends the 80 per cent of Australian wool growers who are:
  - (a) breeding sheep to be resistant to fly-strike by breeding out skin wrinkles; or
  - (b) using pain relief when mulesing sheep.

That includes using anaesthetics. That is the only future for the Australian wool industry. If it is to have an economical and humane future it must focus on breeding sheep that are resistant to flystrike so that the practice of mulesing does not take place. It is with some heart that The Greens, the Animal Justice Party, The Nationals, the Liberal Party, and the Australian Labor Party—

**The Hon. Niall Blair:** The Nationals.

**Mr DAVID SHOEBRIDGE:** I said The Nationals.

**The Hon. Niall Blair:** You pointed at me and said Liberal.

**Mr DAVID SHOEBRIDGE:** I withdraw it. There is a whole flock of Nationals.

**The Hon. Niall Blair:** It is called a murder.

**Mr DAVID SHOEBRIDGE:** It is definitely not a pride. Whichever side of politics we are from, we have agreed on this motion because we are all aware of the importance of the wool industry. But it is also important that it be humane, which means transitioning to an industry where the entire flock is flystrike resistant and does not have to be subject to mulesing. If we look at mulesing only from an economic point of view we find that it is a labour-intensive and expensive process when conducted under anaesthetic. The industry is looking at mulesing from more than an economic point of view. A far better economic outcome for the industry is to have sheep that are resistant to flystrike. The Greens support the motion. I commend the mover of the motion, the Hon. Mark Pearson, and all members who have contributed to the debate.

**The Hon. PAUL GREEN [3.45 p.m.]:** On behalf of the Christian Democratic Party I speak in debate on the motion moved by the Hon. Mark Pearson which states:

- (1) That this House commends the 80 per cent of Australian wool growers who are:
  - (a) breeding sheep to be resistant to fly-strike by breeding out skin wrinkles; or
  - (b) using pain relief when mulesing sheep.
- (2) That this House encourages all woolgrowers to breed sheep to be resistant to flystrike and, in the interim, they should provide pain relief to sheep when mulesing.
- (3) This House congratulates:
  - (a) industry for investing in the development and promotion of pain relief solutions for mulesing and encourages further research and development into additional pain relief products
  - (b) world renowned fashion designers who are encouraging wool growers to breed sheep that are less susceptible to flystrike and to adopt best practice animal welfare outcomes.

Flystrike costs the Australian economy around \$280 million per year. It is the second highest cause of lost revenue behind internal parasites in Australian sheep. The most prevalent cause of flystrike in Australia is caused by the sheep blowfly, *Lucilia cuprina*. The sheep blowfly thrives in warm and humid environments and is responsible for 90 per cent of cases found on susceptible sheep. The traditional treatment of flystrike is mulesing. This process seeks to remove wrinkles to reduce the incidence of breech strike—that is, flystrike around the buttocks area. This is a painful process and requires the use of pain relief in sheep. However this has not always been the case.

The NSW Farmers Association has lobbied for topical anaesthetic to be available through non-veterinary commercial outlets to be utilised in the mulesing process. The association has also worked to ensure affordable pain relief is available to producers with a minimum of regulatory or other restrictions. This has contributed to the uptake and use of anaesthesia and long-lasting pain relief drugs to reduce or eliminate the pain caused by the procedure. Australian farmers have also taken to breeding flystrike-resistant sheep. This is a long-term process whereby animals with a naturally bare or low-winkle breech area are selected from or introduced into the flock in order to produce progeny with no wrinkle or low wrinkles in the breech area and a large, bare perineal area. The Australian Veterinary Association acknowledges that this breeding process will be relatively slow. However, for some sheep types breeding shows considerable promise as a long-term alternative to traditional mulesing.

Alternative new and emerging technologies that are currently being utilised and/or investigated to aid the prevention and control of flystrike include the use of flystrike prevention clips that mimic the effect of mulesing. The clips basically seek to remove the skin wrinkles and they have been deemed as a viable alternative for some wool growers. The second method is needleless intradermal injections. A needleless applicator is used to inject directly into the skin a special formulation that causes skin cells to die and a thick scab then forms at the injection site. The third is the use of topical applications that can be applied to the skin of the animal, causing the treated region to slough off and leave an area of stretched bare skin, similar to mulesing. As the Australian Veterinary Association notes:

... the production of commercially viable alternatives to mulesing still requires ongoing industry commitment to the multiple components of the research and development program, as well as a continued commitment by commercial partners to deliver the mulesing alternatives to woolgrowers.

I recognise Australian Wool Innovation for its ongoing commitment and investment in researching alternative flystrike treatments. I also acknowledge the work of Mr Charles Olsson, from the Australian Wool Growers Association and formerly from Australian Wool Innovation, with regard to mulesing and the treatment of flystrike. I know that the Hon. Duncan Gay also worked in that area. I commend Australian Wool Innovation, the Australian Wool Growers Association and Australian farmers who have responded to community and animal welfare concerns regarding the use of mulesing and have voluntarily increased the use of pain relief, anaesthesia and long-lasting pain relief drugs to achieve best-practice animal welfare outcomes. I am pleased to speak in debate on this motion for two reasons. First, it is a good motion. Secondly, I found out just the other day that my nephew has taken up sheep shearing. I now have a good topic to talk to him about—the mulesing of sheep. More than likely he will be more educated in this area than some of the other shearers. The Christian Democratic Party commends the bill to the House and will support the amendment.

**Mr SCOT MacDONALD** (Parliamentary Secretary) [3.51 p.m.]: I support this motion which will ultimately be amended. I had to contribute to debate on this motion as I come from one of the premier wool-growing areas of this State, if not this country.

**The Hon. Dr Peter Phelps:** The Monaro?

**Mr SCOT MacDONALD:** I am sorry that I said that now. I had an association with Chick Olsson. My family members were customers of Chick and his father, I think, buying Olsson's salt blocks for many years. I have followed this fairly fractious debate for 20 or 30 years or more, which is a long time. I was involved in the rural produce side of things. My family sold mainly Vetericyn and CLiK to control flystrike. When the debate first started 25 years ago, or whenever it was, people would not have been talking like we have been talking today. People were in one of two camps—either they mulesed or they did not. The two camps were never in agreement. I thought that was the way it would always be.

I give credit to Chick Olsson and his group, the Australian Wool Growers Association. That group courageously put its head above the trenches and got into the debate from the customer angle. As I learnt in my discussions with him earlier today, if someone is in business—whatever the service or commodity, agricultural or otherwise—at the end of the day he or she should know that the customer is always right. Some of us have strong views about the rights and wrongs of mulesing and what it does to the sheep. I have been in paddocks and have had to shear to get rid of flystrike—pretty gruesome work that I just had to do. Sadly, if we got to the sheep a bit late, putting them down was the best approach. Someone said earlier that the act of mulesing is not attractive but it has been part of farm life. I thought it would always be a part of farm life. I have mulesed so I know it is a pretty bloody affair.

As I was saying earlier, the customer is always right. Customers in Europe, North America and elsewhere have been telling us for a decade or so that they do not want their products associated with that animal husbandry technique. After debate on that issue, the industry gave certain undertakings—it was probably a bit ambitious in giving undertakings that mulesing would be phased out within a decade or so. I think the Hon. Mick Veitch said it was probably ambitious to phase out the practice within that time. The industry now collaborates with its customers because, as I said before, it does not matter whether someone is selling, wool, beef or lamb, if customers tell that person they want the product delivered and handled in a particular way that person has to respect their wishes.

We are now giving our international customers an undertaking that we are on that journey to breeding out sheep that are prone to flystrike. The New South Wales Government has been a practical and pragmatic

partner in that process. In the interim there will be a number of techniques—anaesthetics or whatever they might be. We will continue using insect growth regulators [IGRs], such as Vetericyn and CLiK, to minimise flystrike. In wet years the IGRs can wash out. Unfortunately, after two or three weeks of wet weather the sheep may be carrying too much moisture so flystrike again becomes a problem.

I commend the Hon. Mark Pearson for moving this motion. He has been rational even though I know that he and other people feel strongly about this issue. I place on record that some of the strategies we have seen from groups like People for the Ethical Treatment of Animals [PETA] have been excessive and sometimes fraudulent, which is a shame because it has caused industry to push back at times when we could have had closer collaboration. Now we are on a journey where industry is talking to customers and animal welfare bodies are also sitting around the table. The PETA way is not the correct way. We have seen fashion parades where people have held up photos of bloody sheep that have sometimes been photoshopped, which is unfortunate as it has probably set back the process a number of years.

I commend the New South Wales Government for its practical and pragmatic approach to this issue. I was pleased when this motion was moved but I am glad it will be amended so it will be practical and pragmatic—something with which industry can work. I commend Mr Olsson for the courageous part he played in this process. I have read the letters to *The Land* and I saw that he copped a lot of flak from some influential people. More often than not when issues are raised people prefer to get personal rather than getting around the table and talking about it. Chick Olsson deserves a lot of kudos for withstanding those personal attacks. I will support the motion as amended.

**The Hon. SARAH MITCHELL** (Parliamentary Secretary) [3.58 p.m.]: As my colleagues have said, the Government will not support the motion in its current form but it will support the amended motion. If the amendment moved by the Hon. Rick Colless is successful we will vote in favour of the amended motion. I would like to make some comments about the history of the wool industry. I am a member of The Nationals, but I do not have the extensive shearing experience that the Hon. Mick Veitch and some of my colleagues have referred to in the Chamber today.

**The Hon. Mick Veitch:** Women are some of the better shearers in the sheds these days.

**The Hon. SARAH MITCHELL:** I acknowledge that interjection; I am certain that they are. The wool industry has played an important role in Australian agriculture. It is widely accepted that from the 1840s Australia was built on the sheep's back, and many rural and regional communities continue to be supported by the wool industry. Wool production is a major use of land across Australia, from Queensland to Tasmania and across to Western Australia. In 2016 the Australian wool industry is a world leader in production and quality of this unique natural fibre. Our annual production still accounts for more than 25 per cent of the world's wool, supplying markets right across the globe. Our wool producers have made remarkable advancements in the past 219 years.

Through determined effort the industry has made considerable progress over many years to breed sheep that are less susceptible to flystrike, with enormous advances over the course of the last decade. Woolgrowers have bred from sheep that have plainer bodies and less wrinkle, which makes them less susceptible to fleece-rot, dag accumulation and ultimately flystrike. Industry preventative practices such as crutching and jetting, along with regular monitoring, by producers have also helped to prevent flystrike. However, genetic improvement is the long-term strategy. The health and welfare of sheep is a priority for wool growers.

Healthy sheep are more productive and profitable, which is why industry continues to invest in the use of pain relief for sheep husbandry practices, including mulesing. The wool industry is a strong supporter of the use of pain relief treatment, with 77 per cent of mulesed lambs treated with pain relief. The industry should be congratulated on such a significant change that has taken place in a relatively short period of time. The industry is also working on improving the products available to improve welfare with the use of several treatments for pain relief in surgical practices.

A pain relief and antiseptic agent is now available for producers to relieve pain, protect against wound infection and prevent bleeding during surgery. Industry reports that within 30 seconds of application, the topical anaesthetic agent eliminates pain and provides wound anaesthesia that has been shown to last for more than eight hours. Lambs have demonstrated few if any signs of discomfort in the hours after the procedure and it significantly reduces the cortisol stress response. There has been rapid adoption of this formulation since its commercial release in 2005, and research continues to further enhance the pain relief options.

I note that commercial wool-buyers are offering price premiums for non-mulesed sheep—it is these types of economic drivers that will facilitate an even more rapid change of on-farm practices. The National Wool Declaration is the key mechanism developed by the wool industry that allows customers to purchase wool that is produced using practices that they support. The declaration identifies individual sheep husbandry practices used on-farm, including whether the sheep were mulesed and the use of pain relief as well as other information. The information in the declaration can then be used by the purchasers of Australian wool in their brand promotions. The number of woolgrowers completing the declaration continues to grow—the latest figures show 49.5 per cent of the total wool clip is now declared. I urge more New South Wales woolgrowers to adopt the use of the declaration to provide greater guarantees for their customers into the future.

The producer-funded research and development and marketing organisation, Australian Wool Innovation, invests in research and development to increase the profitability and sustainability of wool production in Australia. The industry has made great advancements in animal health and productivity, as well as improved welfare practices, including non-invasive sheep management techniques. Industry's research and development in sheep genetics to identify sheep with high natural resistance to flystrike is viewed as the major long-term solution to managing flystrike in Australian sheep. Industry trials at several sites across Australia have indicated that different factors, in different environments, have differing effects on the level of flystrike resistance in sheep.

Sheep and stud breeders use genetic technology through the standardised Sheep Breeding Values that are derived from 32,000 individual sheep records in the Australian National Merino Genetic Database. These traits identify sires with enhanced natural resistance to flystrike. The increased availability and use of these tools is accelerating the rate of industry progress toward naturally flystrike resistant sheep. The tools are already used in the breeding strategies of stud breeding operations and commercial woolgrowers across Australia. Industry education and extension programs are available to woolgrowers to help them more efficiently select and breed naturally flystrike resistant sheep, and to manage the risk of flystrike without mulesing sheep.

The industry research and development body has been working on a number of potential breech flystrike alternatives in recent years, including the SkinTraction intradermal agent, a liquid nitrogen process, and laser treatment. SkinTraction continues to show promise as a low-stress procedure to reduce wrinkle and increase breech bare area in Merino sheep. SkinTraction is suitable for sheep weighing more than 30 kilograms. Further development has taken place of a process using liquid nitrogen to reduce tail and breech wrinkles and breech wool cover.

The concept is encouraging but requires further development for the process to be fully validated and commercially viable. Liquid nitrogen is used in human medicine for the removal of warts and some skin tumours, and in veterinary medicine such as for the removal of carcinomas in cattle. The cryogenic effect of liquid nitrogen freezes skin cells when applied topically. The cells freeze to temperatures of minus 50° Celsius. Ice crystals form within the cells and, upon thawing, the intra-cellular structures and cells are damaged. Healing takes place over a six- to eight-week period. The liquid nitrogen process as an alternative to mulesing is intended to be a procedure conducted in conjunction with lamb marking. The Australian wool industry should be congratulated on its rapid rate of adoption of new technologies and its commitment to continual improvement. People in the wool industry are working together to provide their customers with the product they demand, and in doing that ensure the future of their industry for the generations to come.

**The Hon. MARK PEARSON** [4.04 p.m.], in reply: I thank members on both sides of the House and the crossbenches for speaking to this very important motion, my first motion brought on for debate. I welcome the degree of support and standing given to the motion by everybody.

**The Hon. Mick Veitch:** It is not always this nice.

**The Hon. MARK PEARSON:** I will make sure that it is. I specifically thank the Hon. Niall Blair, the Hon. Mick Veitch, the Hon. Duncan Gay, Dr Mehreen Faruqi, the Hon. Rick Colless, Mr David Shoebridge, Mr Scot MacDonald, the Hon. Paul Green and the Hon. Sarah Mitchell for their contributions and support. I also thank the Hon. Bronnie Taylor, who had hoped to speak to this motion. She has asked me to read out the names of the 2,673 sheep on her property.

**The Hon. Rick Colless:** It is 29,000, not 2,000.

**The Hon. MARK PEARSON:** Is it? So that would take a while! I have informed the Hon. Bronnie Taylor that I would probably not be successful in getting an extension of time to read all their names. I wish to

acknowledge how far the industry has moved, and that is why I wanted to read out the names of individual sheep. I also wish to acknowledge that each individual sheep is important. Every individual animal matters because its experience of pain, distress or pleasure is important to the sheep as an individual animal. Although we talk about flock and mob welfare, at the end of the day it is the individual experience of the sheep that is lifted up and put into cradle for various procedures to be done that is important. For this House and the industry to have turned their minds more seriously to that issue is commendable.

The Animal Justice Party accepts the Government amendment moved by the Hon. Rick Colless and I welcome the Government's support for the motion in spirit. I also welcome the support of all members who have spoken in favour of the motion and note that no-one has spoken against the motion. The Animal Justice Party supports the Government amendment because it has not diluted the spirit of the motion. The spirit of the motion is supporting, embracing and congratulating the industry and those who have intervened to help these animals to cope with mulesing. These people have brought the procedure to the attention of the global market, so that wool buyers around the world can see the fundamentally important shift in that Australia is embracing animal welfare in a positive and constructive way, not just with motherhood statements and window-dressing. I commend the motion and the amendment to the House.

**The DEPUTY-PRESIDENT (The Hon. Trevor Khan):** The Hon. Mark Pearson has moved Private Members' Business item No. 477 outside the Order of Precedence relating to sheep mulesing, to which the Hon. Rick Colless has moved an amendment. In addition, the Hon. Mark Pearson moved an amendment to his motion. It appears that the amendment of the Hon. Rick Colless encapsulates the amendment of the Hon. Mark Pearson. If the amendment of the Hon. Rick Colless is agreed to, the amendment of the Hon. Mark Pearson will lapse.

**Question—That the amendment of the Hon. Rick Colless be agreed to—put and resolved in the affirmative.**

**Amendment of the Hon. Rick Colless agreed to.**

**Question—That the motion as amended be agreed to—put and resolved in the affirmative.**

**Motion as amended agreed to.**

#### **ASSISTED REPRODUCTIVE TECHNOLOGY AMENDMENT BILL 2016**

#### **BIOFUELS AMENDMENT BILL 2016**

**Messages received from the Legislative Assembly agreeing to the Legislative Council's amendments.**

**Pursuant to sessional orders business interrupted to permit a motion to adjourn the House if desired.**

#### **ADJOURNMENT**

**The Hon. DUNCAN GAY** (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) [4.10 p.m.]: I move:

That this House do now adjourn.

#### **WOMEN IN SPORT**

**The Hon. LYNDA VOLTZ** [4.10 p.m.]: In my last adjournment speech in this Chamber I spoke about the fight sportswomen have to gain the respect and recognition they deserve. Just when we appear to be taking a step forward towards a world where athletes might be considered just that—not men, not women, but athletes—along comes another idiot to send us hurtling back in time. In this case, the idiot was chief executive officer of Indian Wells, Raymond Moore. For the benefit of those in the Chamber who may not have heard his astounding comments, I quote:

In my next life when I come back, I want to be someone in the WTA, because they ride on the coattails of the men. They don't make any decisions, and they are lucky. They are very, very lucky. If I was a lady player, I'd go down every night on my knees and thank God that Roger Federer and Rafa (Rafael) Nadal were born, because they have carried this sport. They really have.

Really, Raymond—down on their knees? Thankfully one of the world's greatest athletes is presently tripping around Indian Wells. That athlete is Serena Williams, and this is what she said:

There's only one way to interpret that, get on your knees, which is offensive enough, and thank a man. We, as women, have come a long way. We shouldn't have to drop to our knees at any point.

Yes, that is right, Raymond—the Dark Ages have ended. Or, as another fine athlete, a jockey by the name of Michelle Payne, so eloquently put it:

Get stuffed!

Why are athletes, who happen to be female, receiving this treatment? It is a mark of how long the battle for gender equality will be. We need to be louder and say more to overcome entrenched bias. We need to do more to tell the Raymond Moores of the world to get stuffed. Attitudes must change. The achievements of sportswomen should be shouted from the rafters. When the women's ice hockey team beat Iceland for a gold medal we should have been cock-a-hoop. When Mahalia Murphy made her debut for the Jillaroos she should have received 500,000 likes. Schoolchildren across the nation should have bedrooms festooned with posters of Ashleigh Southern and the rest of the Stingers team.

As our sportswomen have always known, we have to go out and seize opportunities. When they tell us we cannot or we should thank them for letting us use the sporting field, we should tell them to get stuffed. That is why we need a national "Get Stuffed Day". We must celebrate the women in sport who took the opportunity and, despite belittling comments, did not accept they could not do something a man could. I suggest 29 September, Michelle Payne's birthday, is a good starting date. It is a day to say "get stuffed" to the sports commentator who asks, "Could you give us a twirl and tell us about your outfit?" When an Australian Socceros coach suggests women should "shut up in public" there should be a chorus from men and women across the country of, "Get stuffed!"

The Minister for Sport could get in on the act. I checked *Hansard* and found only one 2003 reference to women in league. According to the Minister, the most important feature of the event was the fact that players wore pink jerseys to raise the profile of women involved in the sport of rugby league. Really? The most important feature of the day was a women's rugby league team on the field saying, "Get stuffed; we're playing." National "Get Stuffed Day" will have a lot of fodder to work with. It will be a day when every woman, from Serena Williams to the young girl in the school yard, will pick up the ball and start playing. If someone says "You cannot ..." they know the appropriate response: Get stuffed!

### PARLIAMENTARY FRIENDS OF RECONCILIATION

**The Hon. TREVOR KHAN** [4.15 p.m.]: Tonight I speak of the launch of the Parliamentary Friends of Reconciliation group on 16 March 2016. As members would be aware, the launch was held in the Fountain Forecourt of the Parliament with something in the order of 60 people in attendance, including many members of the Aboriginal community and members of Parliament. Amongst those present was his Excellency the Governor, who has shown a significant commitment to the advancement of Aboriginal interests in New South Wales. In addition, Premier Mike Baird, Deputy Premier Troy Grant and various other Ministers were in attendance. I thank all of them for their contribution on the night.

The welcome to country was given by the well-known, articulate and passionate Uncle Chicka Madden. Each time he makes a welcome to country one understands a little more of what country means to him and to the Aboriginal communities. The special guest speakers were Dale Connor, Ms Teela Reid and Mr Anthony McAvoy, SC. I will take a moment to refer, somewhat surprisingly, to the contribution of Ms Teela Reid. I say that without detracting from the significance of the contribution made by the other two speakers. Ms Reid spoke passionately and intelligently of her experiences as a young Aboriginal woman. She made plain that she, even in these more enlightened times, still experiences racism.

She noted that as an Indigenous person she is expected to die 10 years younger than a non-Indigenous person. We are living in 2016 and yet she lives her life with the knowledge that she will be dead before so many of her non-Indigenous friends. She told us that she is part of the fastest growing cohort of people who are incarcerated—that is, Aboriginal women. Any member who has had any experience with the criminal justice system knows it is a horrible reality that our prisons are filling with Aboriginal women at a rate far in excess of what can in any way be justified. Despite making up less than 2 per cent of the total Australian population, Aboriginal women account for one-third of the female prison population of this State.

**The Hon. Rick Colless:** Shame.

**The Hon. TREVOR KHAN:** It is more than a shame; it is criminal. Aboriginal men are 13 times more likely to be incarcerated, with higher percentages if they are a young person. She pointed out that an Aboriginal person, male or female, is more likely to have a chronic illness or poor health. Reconciliation Australia has pointed out that 86 per cent of Australians believe the relationship between Indigenous people and other Australians is important. However, the reality is that trust between Indigenous and non-Indigenous people is extremely low. The purpose of the establishment of the friendship group is to provide a space for Aboriginal and Torres Strait Islander people and parliamentarians to connect directly on the issues and opportunities for Aboriginal and Torres Strait Islander people. I hope that all members of this Parliament take the opportunity that will be provided by the reconciliation and friendship group to engage on issues which are so important for all Australian people.

### ANIMAL WELFARE

**The Hon. MARK PEARSON** [4.20 p.m.]: See no evil. My adjournment speech is based on the writings of Dr Siobhan O'Sullivan on the equitable treatment of animals in governance and policy. Since the time of the Industrial Revolution animals have been slowly excluded from the lives of most humans. Until relatively recently both rural and city dwellers had direct experience of the economic exploitation of animals, from horses used for transport and in agriculture, cattle and sheep driven to be slaughtered at open markets, to eggs collected from backyard chicken coops.

Increased urbanisation and agricultural industrialisation ended the eye witness observation of the lives and deaths of animals used by humans. This dislocation has resulted in the invisibility of the lived experiences of farmed animals and those animals used in medical research. Slaughterhouses with all their blood, gore and stench have been exiled from our cities. Intensively farmed pigs and chickens spend their few miserable weeks of life contained in massive, windowless sheds far from the casual observation of passers-by. While farmed animals may live their lives almost entirely unseen, that does not mean that they are not subject to the law.

We have animal welfare legislation such as the Prevention of Cruelty to Animals Act and a multitude of codes of practice, standards and guidelines which detail the ways in which animals may be lawfully treated by industry. A thin veneer of animal welfare sits alongside a prohibition of unnecessary suffering. However, if the average citizen could see the suffering caused by lawful practices such as mulesing, castration, de-horning, tail-docking and eye teeth removal—all without pain relief in the main—I am sure that they would demand higher levels of standards of care. Our citizens rely upon their members of Parliament and regulatory bodies to safeguard that what happens in these hidden places meets community standards concerning animal wellbeing. Time and again it has been shown that the public's expectations are not being met.

Exposés by animal rights and welfare groups have shown cruel treatment of pigs, ducks, turkeys and chickens, to name a few instances where animal activists have recorded images that horrify the nation. Community outrage occurs each and every time these images of suffering are broadcast and it clearly shows that the public does care about the lives of animals. It is disturbing, however, that the Government and industry response is not to improve animal wellbeing standards and better resource enforcement agencies, but rather in the main to attack and criminalise the messenger.

This lack of transparency disenfranchises citizens and helps generate inconsistencies in animal welfare laws. It undermines the role of citizens as policy participants and forces animal activists to engage in illegal behaviour in an attempt to put animal welfare on the political agenda. The introduction of ag-gag laws via the Biosecurity Act and the Inclosed Lands Amendment (Interference) Bill increase penalties for animal activists who in the public interest capture footage of animal suffering on private lands. Ministers talk of activists as vigilantes and terrorists but our regulatory system makes independent oversight of intensive farming facilities virtually impossible. Dr O'Sullivan stated:

The only people who see agricultural animals are those who financially benefit from bringing them into the world, and then killing them. Such people are not reliable witnesses. They cannot be trusted as the only source, or even the primary source, of information about whether an animal's life is good or not.

How can we ensure that the laws regulating the lives of animals reflect community values, when the community has little to no capacity to see or engage with animals? How can the community inform animal welfare laws, when we know very few animals? If the community is unable to draw its own conclusions about the suitability of animal protection laws made in its name, what type of challenge does this pose to liberal democratic values?

## BRUSSELS TERRORIST ATTACKS

### LOCAL GOVERNMENT AMALGAMATIONS

**The Hon. ERNEST WONG** [4.25 p.m.]: I extend my sincere and heartfelt condolences to the victims and survivors of the recent attacks in Belgium and offer my thoughts and prayers for a full recovery to those wounded, their loved ones and the people of Belgium. These attacks are an act of pure evil, and I condemn all those involved in any acts of violence and terror. As a former mayor and councillor of Burwood Council, with some 15 years experience under my belt, I was pleased to draw on my experience as a contributing member of the General Purpose Standing Committee No. 6 inquiry into local government in New South Wales. As honourable members know, this inquiry's primary purpose was to engage with stakeholders and thoroughly investigate the impact of amalgamations on council finances, employees and local communities, as well as look into the appropriateness of the criteria used to assess proposed amalgamations, in particular scale and capacity.

The committee listened to evidence from government officials and major stakeholders, received countless submissions and participated in various site visits. Contrary to the Government's "bigger is better" assumption, the evidence was remarkably consistent. There was no business case or benefit to the people of New South Wales that would warrant the Government forging ahead with it. The date of 18 November 2015 was earmarked for the Government to explain whether or how it intended to proceed with this proposal. That day came and went, and the good people of New South Wales got exactly what they have come to expect from this Government: nothing. Silence.

Instead, in the lead-up to Christmas, local government employees across New South Wales were forced into a state of unjustified worry and uncertainty by the Coalition. The usual joy and excitement that filters through the community at this time of year was soon replaced with fear and dread. And then it came—that sucker punch that everyone was anticipating but had not really prepared for. One week before Christmas Day and after Parliament had risen for the year, when families were taking breaks from work or fully occupied with other Christmas events—a time that typically ensures there is very minimal scrutiny by the media or the community—Premier Baird released the "Local Government Reform: Merger impacts and analysis" report, based on an analysis undertaken by KPMG, at a cost of \$400,000 and without any public consultation or local government involvement.

Pinning his entire policy agenda on the KPMG report, the Premier has refused to release it in full and the Government continues to make claims based on the secret details contained within it. To this day, the Coalition Government has consistently failed to provide any modelling that would justify these forced mergers, and that includes the flawed KPMG report which demonstrates that cost savings are based on false assumptions and incorrect data. Professor Graham Sansom, who headed up the Independent Local Government Review Panel and proposed the Fit for the Future model, slammed the merger proposals, saying:

I think the Government's announcement really fails the test of carefully structured strategic reform.

... on what we have seen there has not been enough work done to provide an adequate justification for these proposals.

This was the Government's own expert adviser. Academics, local government experts, State and Federal elected members and authors of previous reports have been quick to condemn these proposed forced mergers. The New South Wales Opposition, in unison with local ratepayers, strongly condemns the proposed forced mergers. Why, when there is such strong opposition and so much secrecy arising from this proposal, would the Government continue to forge ahead with it? These are questions that the Government continues to dodge. We need to give local residents and local businesses a greater say and certainty as to who represents them and how their council is run. Any mergers, now or in the future, should be voluntary and made only when there is strong community support, backed up with a sound business case. Councils should not be forced to merge for the purpose of political gain or to serve a government agenda.

Since coming to office, the Liberal-Nationals have spent at least \$10 million on reviews into local government. This does not include internal reviews, the recent Legislative Council inquiry and the millions of dollars spent by local government in producing reports to prove they are fit for the future. The findings of the General Purpose Standing Committee No. 6 inquiry into local government in New South Wales made several recommendations. I refer to recommendation 11 of the inquiry, which calls for the New South Wales Government:

To commit to a policy of no forced amalgamations of local councils, except in circumstances where it can be established that a council is severely financially unsustainable to the point of bankruptcy or unable to maintain an acceptable level of service provision.

The New South Wales Opposition will continue to heed the calls of the people of New South Wales and will continue the fight with them for truly representative local government in this State. [*Time expired.*]

## ABORIGINAL CULTURAL HERITAGE

**Mr DAVID SHOEBRIDGE** [4.30 p.m.]: I make this contribution on Gadigal land and pay my respects to the elders past and present of the land on which we are meeting today. Whether it is destroying 10,000 years of history for a fried chicken outlet or tearing the heart out of Aboriginal burial grounds and sacred sites for the purposes of open-cut mining, Aboriginal heritage is facing industrial-scale destruction in this State. Aboriginal heritage is not being treated with the respect it deserves, as a priceless part of this planet's oldest continuing culture. It is time that changed.

In November last year, the Land and Environment Court set an important precedent that will place the courts in a position to protect the remaining Aboriginal heritage in New South Wales from mining and development. The case relates to the proposed expansion by Rocla Materials of the Calga Sand Quarry. That was an application that was ushered through under Labor's notorious part 3A planning law and quietly approved by the Planning Assessment Commission just days before the Christmas break in 2013, after that law was extended by the Coalition Government. Thankfully, the Darkinjung Local Aboriginal Land Council lodged an appeal with the Land and Environment Court, citing the irreparable damage the expansion would do to known cultural heritage sites and the even greater damage that could be done by allowing mining on a site that had not been investigated for rock art and artefacts.

The Darkinjung Local Aboriginal Land Council argued that the plans to mine around the identified heritage sites would isolate significant sites and known engravings, cutting them off from the context of the surrounding landscape. It was argued—and the court agreed—that that landscape formed an essential part of the site's cultural significance. Before decisions about development are made that might damage Aboriginal cultural heritage, it is essential that a proper assessment of cultural heritage occur. That is a principle that stems from the Burra Charter, which explains cultural significance as including the value of sites and objects but also how they are embodied—in the words of the charter—"in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects". Aboriginal cultural heritage sites therefore must be considered within a landscape.

We are finally seeing the courts begin to agree with this. This is a key moment in the legal protection of Aboriginal heritage in this State. The court has finally recognised that what has been going on for decades—the wholesale destruction of significant landscapes, with only a piece-by-piece assessment of individual sites or objects—has in fact facilitated the broadscale destruction of Aboriginal heritage. Piecemeal assessment of heritage items will always fail to provide a comprehensive understanding of a site or an item's importance as part of a broader cultural landscape. The court's decision comes just in time. If applied more broadly, it can protect Aboriginal heritage from mining and development, not just in the Hunter but across the State.

Indeed, it can be used right now because just around the corner from this Parliament, at Randwick, where excavation for the CBD and South East Light Rail project is being undertaken, there is an imminent threat of destruction of an extraordinarily important Aboriginal heritage site. The site in question is at the Randwick Stabling Yard. It is near the Moore Park east section of the Sydney light rail site. The site includes lower Hunter Valley artefacts that have never been found previously in the Sydney region, reflecting active regional trade routes. The date and density of the materials indicate that this was the site of a large gathering at or about the time of first white invasion of this land. It is even possible that this site represents where a meeting occurred to show some of the original resistance and information being shared by Aboriginal people in response to that invasion.

The site contains tens of thousands of individual objects at a gathering point between what was previously a sand dune and a wetland. Aboriginal heritage experts have told the Department of Planning and Environment that the sheer density and number of artefacts uncovered on that site would make any further excavation inappropriate and would clearly be in breach of the Aboriginal Cultural Heritage Management Plan for the site. Despite an agreement being reached and conditions set about how to proceed without incurring damage to the heritage, almost half of this extraordinarily significant site has already been destroyed by machine excavation. That is grossly unacceptable.

The Minister for Planning has an obligation to act; the Minister for Heritage has an obligation to act. I sent them correspondence seeking an urgent stop-work order just this week. A stop-work order seems the only possible next step that can be taken to ensure that this precious site—potentially one of the most significant Aboriginal heritage sites found in Sydney—is not destroyed. We have the privilege to live amongst the oldest

continuing living culture on the planet. However, its heritage is being systematically destroyed in New South Wales under legislation that provides for the regulated destruction, and not the statutory protection, of Aboriginal heritage. We have a collective duty to turn that around.

### **BARANGAROO DEVELOPMENT**

**The Hon. LOU AMATO** [4.35 p.m.]: Work on the 22-hectare \$6 billion Barangaroo precinct is well underway. It is one of the most exciting urban renewal projects in the world today. The project will showcase Sydney to the world and is estimated to provide more than 24,000 additional permanent jobs, generate approximately \$2 billion per annum for the New South Wales economy and provide over 11 hectares of newly accessible public domain. Estimated to take around 20 years to complete, the additional infrastructure provided by the Barangaroo project will deliver world-class benchmarks in urban design, public domain and sustainability. When complete, Barangaroo will be able to host an estimated 33,000 visitors a day. That is an incredible 12 million visitors a year. The Barangaroo project reinforces the message that New South Wales is open for business. It will attract leading global enterprises and cement Sydney as the preferred, globally celebrated destination for major organisations, especially those in the Asia-Pacific region.

Barangaroo is aiming to be a world leader in sustainable urban development. It will be Australia's first large-scale carbon-neutral community. Energy-efficient design is supported by low-carbon and renewable energy. Barangaroo's smarter buildings are designed to conserve energy. They will target the highest available Green Star rating and National Australian Built Environment Rating System [NABERS] rating. Towers 2 and 3 have been awarded a 6 Star Green Star—Office Design v3 rating by the Green Building Council of Australia, making them Australia's most environmentally sustainable high-rise office buildings.

The project is being managed by the Barangaroo Delivery Authority. Its job is to manage the city waterfront development at Barangaroo and to deliver world-class benchmarks in urban design, public domain and sustainability. The authority is also responsible for ensuring that the New South Wales Government meets its pledge to deliver this ambitious project with an estimated 20-year completion time frame in a coordinated and financially responsible manner. Barangaroo is divided into three project areas: Barangaroo Reserve, Central Barangaroo and Barangaroo South. The current timeline for the project is as follows. During 2012 the bulk excavation for basement construction and first commercial towers at Barangaroo South began. Construction of the Barangaroo Reserve and commencement of the construction of the Wynyard Walk was well underway. During 2013 construction of commercial towers at Barangaroo South continued, with further progress on the Barangaroo Reserve.

A new cruise passenger terminal opened at White Bay and Central Barangaroo master planning commenced. In 2014 further work was completed on Barangaroo Reserve and public briefing commenced for first phase residential in Central Barangaroo. Commencement of the Barangaroo South foreshore residential buildings and public domain took place, with continued construction of the commercial towers at Barangaroo South. The Northern Cove at Barangaroo Reserve was completed. In 2015 a major milestone was completed, with Barangaroo Reserve being opened on 22 August. Later that year the first commercial tower in Barangaroo South was also opened and the public domain was progressively opened at Barangaroo, including the City Walk bridge. Also in 2015 the first two residential buildings were completed. In December of that year the pilot trial of Hickson Road in situ remediation commenced.

This year the second and third commercial towers opened at Barangaroo South, meaning that stage 1 public domain is now complete. The Wynyard Walk is open, which will provide a world-class, fully accessible pedestrian link between Wynyard station and the developing central business district western corridor and Barangaroo. The walkway will allow pedestrians to get from the Wynyard transport hub to the Barangaroo waterfront in approximately six minutes, avoiding steep inclines and road crossings. In 2020 the integrated resort is planned to open, subject to planning approval.

The Crown Sydney is to be Australia's first six-star resort hotel. It will have up to 77,500 square metres of space for facilities including 350 luxury hotel rooms and suites, world-class VIP gaming facilities, luxury apartments, restaurants, bars and retail outlets. At 275 metres, Crown Sydney will be Sydney's tallest occupied building. The Barangaroo project is estimated to be fully completed by 2023. The project is an example of the great can-do ability of our amazing State. I congratulate the Government on this exciting project, which will ensure that the most beautiful city in the world, Sydney, remains number one.

**NEWCASTLE KNIGHTS VOICE FOR MINING FAMILY DAY**

**Mr SCOT MacDONALD** (Parliamentary Secretary) [4.39 p.m.]: In the short time remaining I bring to the attention of the House the fact that on 10 April the Newcastle Knights Voice for Mining Family Day is on once again at the Hunter Stadium. I encourage everybody to attend. I went to the last game and I urge all members to go to this one and show support for our miners.

*[Time for debate expired.]*

**Question—That this House do now adjourn—put and resolved in the affirmative.**

**Motion agreed to.**

**The House adjourned at 4.40 p.m. until Tuesday 3 May 2016 at 2.30 p.m.**

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